

# Washington State Register

SEPTEMBER 18, 1991

OLYMPIA, WASHINGTON

ISSUE 91-18



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filed not later than September 4, 1991

## CITATION

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

## PUBLIC INSPECTION OF DOCUMENTS

A copy of each document filed with the code reviser's office, pursuant to chapter 34.05 RCW, is available for public inspection during normal office hours. The code reviser's office is located on the ground floor of the Legislative Building in Olympia. Office hours are from 8 a.m. to 5 p.m., Monday through Friday, except legal holidays. Telephone inquiries concerning material in the Register or the Washington Administrative Code (WAC) may be made by calling (206) 753-7470 (SCAN 234-7470).

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## CERTIFICATE

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

DENNIS W. COOPER  
Code Reviser

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## STATE MAXIMUM INTEREST RATE

The maximum allowable interest rate applicable for the month of September 1991 pursuant to RCW 19.52.020 is twelve point zero percent (12.00%).

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

The maximum allowable retail installment contract service charge applicable for calendar year 1991 pursuant to RCW 63.14.130(1)(a) is thirteen point seven five percent (13.75%).

The maximum allowable retail installment contract service charge for the purchase of a motor vehicle pursuant to RCW 63.14.130(2)(a) is eleven point seven five percent (11.75%) for the fourth calendar quarter of 1991.

The maximum allowable retail installment contract service charge for the purchase of a vessel pursuant to RCW 63.14.130(3)(a) is twelve point zero percent (12.0%) for the third calendar quarter of 1991.

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# WASHINGTON STATE REGISTER

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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 34.05 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 are 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 MATERIAL

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

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

### 6. EDITORIAL CORRECTIONS

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

### 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.

1991 – 1992

DATES FOR REGISTER CLOSING, DISTRIBUTION, AND FIRST AGENCY ACTION

Issue No.	Closing Dates <sup>1</sup>			Distribution Date	First Agency Hearing Date <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		
For Inclusion in—	File no later than—			Count 20 days from—	For hearing on or after
91-16	Jul 10	Jul 24	Aug 7	Aug 21	Sep 10
91-17	Jul 24	Aug 7	Aug 21	Sep 4	Sep 24
91-18	Aug 7	Aug 21	Sep 4	Sep 18	Oct 8
91-19	Aug 21	Sep 4	Sep 18	Oct 2	Oct 22
91-20	Sep 4	Sep 18	Oct 2	Oct 16	Nov 5
91-21	Sep 25	Oct 9	Oct 23	Nov 6	Nov 26
91-22	Oct 9	Oct 23	Nov 6	Nov 20	Dec 10
91-23	Oct 23	Nov 6	Nov 20	Dec 4	Dec 24
91-24	Nov 6	Nov 20	Dec 4	Dec 18	Jan 7, 1992
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92-01	Nov 21	Dec 5	Dec 19, 1991	Jan 2, 1992	Jan 22
92-02	Dec 5	Dec 19, 1991	Jan 2, 1992	Jan 15	Feb 4
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92-07	Feb 19	Mar 4	Mar 18	Apr 1	Apr 21
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92-23	Oct 21	Nov 4	Nov 18	Dec 2	Dec 22
92-24	Nov 4	Nov 18	Dec 2	Dec 16	Jan 5, 1993

<sup>1</sup>All documents are due at the code reviser's office by 5:00 p.m. on or before the applicable closing date for inclusion in a particular issue of the Register; see WAC 1-21-040.

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

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



**WSR 91-17-005**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Institutions)**

[Order 3230—Filed August 9, 1991, 12:57 p.m.]

Date of Adoption: August 9, 1991.

Purpose: Consistent with the legislature's enactment of Title 71A RCW, these WAC sections have been revised or written to ensure compliance with this RCW.

Citation of Existing Rules Affected by this Order: Amending chapters 275-25, 275-26, 275-27, 275-36, 275-38, and 275-41 WAC.

Statutory Authority for Adoption: For chapter 275-25 WAC is RCW 71A.14.030; for chapter 275-26 WAC is RCW 71A.12.080; for chapter 275-27 WAC is RCW 71A.16.020; for chapter 275-36 WAC is RCW 71A.12.080; for chapter 275-38 WAC is RCW 74.09.120 and 71A.20.140; and for chapter 275-41 WAC is RCW 71A.20.060.

Pursuant to notice filed as WSR 91-15-013 on July 9, 1991.

Changes Other than Editing from Proposed to Adopted Version: WAC 275-25-010, in subsection (5), the definition for "exemption" has been shortened and portions of the previous definition have been added to WAC 275-25-015; WAC 275-25-015, three new subsections (1)(a), (1)(b), and (2) have been added to further clarify under what conditions an exemption may be approved; WAC 275-25-530, all subsections of this WAC have been revised. The revised WAC reinstates original WAC language with the exception of subsection (3) which is a new addition to the current WAC. This new subsection establishes a limit on the amount of allocated funds that can be used by a county for administrative purposes; chapter 275-26 WAC, this WAC chapter has incorporate portions of chapter 275-36 WAC and has essentially been rewritten. The title of the WAC chapter was changed to reflect these additions and the significant revisions of this chapter; WAC 275-26-010, in subsection (2) the word "section" was replaced with the word "chapter" to establish that the definition for "certification" has applicability to all of chapter 275-26 WAC. In subsection (3) "client or person" was changed to "client" because the terms were found to not always be interchangeable in this WAC chapter. In subsection (4) the definition for "client/provider account" was expanded to include a reference to an applicable RCW. Several changes were made in the definition for "client services" to improve clarity. Subsection (5)(a)(viii) was expanded to specify additional emergency procedures; subsection (5)(b)(vii) was deleted because the activities listed were determined to not be activities that clients are typically involved in; a new subsection (5)(b)(vii) was added to reference learning about protection and advocacy; and in subsection (5)(f)(i), the list of useful skills was expanded to include meal planning and grocery shopping. In the definition for "nonfacility based" (subsection (17)) the word "subleases" was included to identify additional situations with applicability to this term. Subsection (22) was deleted because the term "single account" is no

longer used in this WAC chapter; WAC 275-26-020, subsection (3)(b) was revised to include a reference to an agency's right to request an administrative review conference to contest a departmental ruling; WAC 275-26-055, subsection (1)(B)(ii) the requirement to have the administrator's designee shown on the agency's organizational chart was determined to be unnecessary and was deleted. However, in subsection (1)(B)(iii) the administrator's designee was identified as one of the agency's employees, in particular, whose role and responsibilities are to [be] defined by the agency; WAC 275-26-060, language has been added to both subsections (3)(e) and (5) to identify exceptions to the requirements specified in these subsections; WAC 275-26-065, in subsection (4)(b) language has been added to identify which programs this subsection is referencing; WAC 275-26-072, language was added to subsection (1)(d) to establish that the client's individual instruction and support plan (IISP) must identify the goal that is to be achieved by the client as a result of the instruction and support provided to the client; WAC 275-26-073, in subsection (1) the list of health services to be provided for a client was expanded to include "mental health services"; WAC 275-26-075, the list of items to be included in a client's record was expanded to include appointment dates with health care providers in subsection (1)(d)(ii), and a listing of prosthesis and other artificial parts in subsection (1)(d)(iv); WAC 275-26-087, in subsection (3) the word "agency" was inserted before the word "vehicle" to identify whose vehicle this subsection was referring to; WAC 275-26-095, in subsection (1)(b) the list of necessary physical resources was expanded to include "job opportunities," and in subsection (2)(c), added to the list of necessary equipment was a light-alarmed smoke detector for clients who are hearing impaired; WAC 275-26-115, in subsection (3)(g) the amount that can be kept in imprest and individual client cash funds has been reduced from one hundred dollars to fifty dollars per client to reduce provider liability. Subsection (3)(h)(ii)(F) has been deleted and the text of this subsection has been incorporated in subsection (3)(h)(ii)(B) to improve WAC clarity. A new subsection (3)(k) has been added to identify when funds are to be available to a client or a new provider when a client moves or there is a change of ownership of the client's residence. Subsection (4) was revised to clarify check signing procedures when a check is made out to the client. Subsection (5)(b) was amended and a new subsection (5)(c) has been added to establish that when a staff assists a client in drafting a check, the staff must either initial or sign the check drafted by the client. To clarify how a client's funds are to be disposed of after the client's death, a new subsection (13) was added to address this concern; WAC 275-27-020, in subsection (1) several changes have been made to improve the clarity of the definition for "Best interest." In subsection (7) the definition for "Exemption" has been shortened and portions of the previous definition have been added to WAC 275-27-023. Language has been added to subsection (10) to identify the type of informed consent that is being referenced in this definition. Subsection (12) has been deleted because this is a term that is no longer in use. Subsection (15) has been revised to

replace outdated language with more current terminology; WAC 275-27-023, three new subsections (1)(a), (1)(b), and (2) have been added to further clarify under what conditions an exemption may be approved; WAC 275-27-060, language has been added to subsection (3) to identify the service provider as another entity that can request review or modification of the service plan; WAC 275-27-230, a new subsection (5)(b) was added to clarify eligibility for county funded services for a person age twenty-one or younger; WAC 275-38-001, in subsection (31) the definition for "exemption" has been shortened and portions of the previous definition have been added to WAC 275-38-003. Proposed additions to subsection (61)(l) were deleted because they exceeded the minimum qualifications contained in the job specifications for social workers; WAC 275-38-003, three new subsections (1)(a), (1)(b), and (2) have been added to further clarify under what conditions an exemption may be approved; WAC 275-38-005, subsection (1) was revised to simplify and improve WAC clarity. Subsection (7) has been deleted because there are no more community nursing homes that currently have or in the future will have fifty percent or more of their licensed bed capacity occupied by persons with mental retardation or related conditions, and there is no longer a need for this subsection; WAC 275-38-027, as a result of public comment, the division has reconsidered the inclusion of this new section in chapter 275-38 WAC and has decided to delete it; WAC 275-38-075, the title of this WAC section was changed to more accurately reflect the content of this WAC; and WAC 275-38-090, subsection (3)(d) was rewritten to improve WAC clarity. In subsection (8) language has been added to identify the exception to this rule.

Effective Date of Rule: Thirty-one days after filing.

August 9, 1991  
Leslie F. James, Director  
Administrative Services

#### AMENDATORY SECTION (Amending Order 1936, filed 1/12/83)

WAC 275-25-010 DEFINITIONS. (1) All terms used in this chapter not defined herein shall have the same meaning as indicated in the act.

(2) "Act" means:

(a) The Alcoholism Act (chapter 70.96 and 70.96A RCW) as now existing or hereafter amended((-)); or

(b) ~~((The State and Local Services for Mentally Retarded and Developmentally Disabled Act (-)))~~ Local Funds for Community Services chapter 71.20 RCW((-)), State Services chapter 71A.12 RCW, and Local Services chapter 71A.14 RCW as now existing or hereafter amended((-); or

(c) Drug and alcohol rehabilitation, education programs—drug treatment centers (chapter 69.54 RCW) as now existing or hereafter amended.

(3) "County" means each county or two or more counties acting jointly.

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

(5) "Exemption" means the department's approval of a written request for an exception to a rule in this chapter.

(6) "Indian" shall mean any:

(a) Person enrolled in or eligible for enrollment in a recognized Indian tribe; any person determined to be or eligible to be found to be an Indian by the secretary of the interior; and any Eskimo, Aleut or other Alaskan native((-);

(b) Canadian Indian person who is a member of a treaty tribe, Metis community, or other nonstatus Indian community from Canada((-);

(c) Unenrolled Indian person considered ~~((to be))~~ an Indian by a federally or nonfederally recognized Indian tribe or by an urban Indian/Alaska community organization.

~~((6))~~ (7) "Plan" means the application a county submits to the secretary for review and approval under the act(s); or revision of an existing plan.

~~((7))~~ (8) "Population" means the most recent estimate of the aggregate number of persons located in the designated county as computed by the office of financial management.

~~((8))~~ (9) "Secretary" means the secretary of the department or such employee or such unit of the department as the secretary may designate.

#### NEW SECTION

WAC 275-25-015 EXEMPTIONS. (1) The department may approve an exemption to a specific rule in this chapter as defined under WAC 275-25-010(5) provided an:

(a) Assessment of the exemption request ensures granting the exemption shall not undermine the legislative intent of Title 71A RCW; and

(b) Evaluation of the exemption request shows granting the exemption shall not adversely affect the quality of the services, supervision, health, and safety of department-served persons.

(2) Agencies and individual providers shall retain a copy of each department-approved exemption.

#### AMENDATORY SECTION (Amending Order 1936, filed 1/12/83)

WAC 275-25-030 PROGRAM OPERATION—GENERAL PROVISIONS. (1) The provisions of this section shall apply to all programs operated under authority of the ~~((act(s)))~~ acts.

(2) The county and all contractors and subcontractors must comply with all applicable law or rule governing the department's approval of payment of funds for the ~~((program(s)))~~ programs. Verification may be in the manner and to the extent requested by the secretary.

(3) ~~((No))~~ State funds ~~((with))~~ shall not be paid to a county for costs of services provided by the county or other person or organization who or which was not licensed, certified, ~~((and/or))~~ and approved as required by law or by rule whether or not the plan was approved by the secretary.

(4) The secretary may impose such reasonable fiscal and program reporting requirements as ~~((he or she))~~ the

secretary deems necessary for effective program management.

(5) Funding.

(a) ~~((A contract must be negotiated and executed between))~~ The department and ~~((the))~~ county ~~((prior to any))~~ shall negotiate and execute a contract before the department provides reimbursement ~~((by the department))~~ for services ~~((to be provided))~~ under ~~((the))~~ contract, except as provided ~~((for in))~~ under WAC 275-25-020(10). ~~((The department shall not execute the contract unless the county's plan has been approved pursuant to WAC 275-25-020(7).))~~

(b) Payments to counties shall be made on the basis of vouchers submitted to the department for costs incurred under the contract. The department shall specify the form and content of the vouchers ~~((shall be specified by the department))~~.

(c) The secretary may make advance payments to counties, where such payments would facilitate sound program management. The secretary shall withhold advance payments from counties failing to meet the requirements of WAC 275-25-020 until such requirements are met. Any county failing to meet the requirements of WAC 275-25-020 after advance payments have been made shall repay said advance payment within thirty days of notice by the department that the county is not in compliance.

(d) If the department receives evidence a county or subcontractor performing under the contract is:

(i) Not in compliance with applicable state law or rule; or

(ii) Not in substantial compliance with the contract; or

(iii) Unable or unwilling to provide such records or data as the secretary may ~~((reasonably))~~ require, then the secretary may withhold all or part of subsequent monthly disbursement to the county until such time as satisfactory evidence of corrective action is forthcoming. Such withholding or denial of funds shall be subject to appeal ~~((pursuant to))~~ under the Administrative Procedure Act (chapter ~~((34.04))~~ 34.05 RCW).

(6) Subcontracting. A county may subcontract for the performance of any of the services specified in the contract. ~~((A#))~~ The county's subcontracts shall include:

(a) A precise and definitive work statement including a description of the services ~~((to be))~~ provided;

(b) ~~((Specific agreement by))~~ The subcontractor's specific agreement to abide by the ~~((act(s)))~~ acts and the rules;

(c) Specific authority for the secretary and the state auditor to inspect all records and other material the secretary deems pertinent to the subcontract; and agreements by the subcontractor that such records will be made available for inspection;

(d) Specific authority for the secretary to make periodic inspection of the subcontractor's program or premises in order to evaluate performance under the contract between the department and the county~~((:));~~ and

(e) Specific agreement by the subcontractor to provide such program and fiscal data as the secretary may ~~((reasonably))~~ require.

(7) Records: Maintenance. Client records shall be maintained for every client for whom services are provided and shall document:

(a) Client demographic data;

(b) Diagnosis or problem statement;

(c) Treatment or service plan; and

(d) Treatment or services provided including medications prescribed.

(8) Liability.

~~((Neither))~~ (a) The promulgation of these rules ~~((nor))~~ or anything contained in these rules shall not be construed as affecting the relative status or civil rights or liabilities between:

(i) The county and community agency~~((, and/or));~~ or

(ii) Any other person, partnership, corporation, association, or other organization performing services under a contract or required herein and their employees, persons receiving services, or the public ~~((generally, nor shall)).~~

(b) The use or implied use herein of the word "duty" or "responsibility" or both shall not import or imply liability other than provided for by the statutes or general laws of the state of Washington, to any person for injuries due to negligence predicated upon failure to perform on the part of an applicant, or a board established under the ~~((act(s)))~~ acts, or an agency, or said agency's employees, or persons performing services on said agency's behalf~~((, but)).~~

(c) Failure to comply with any compulsory rules shall be cause for the department to refuse to provide the county and community agency funds under the contract.

AMENDATORY SECTION (Amending Order 1771, filed 3/1/82)

WAC 275-25-520 SERVICES—DEVELOPMENTAL DISABILITIES. ~~((Counties))~~ (1) A county may purchase ~~((and/or))~~ and provide ~~((any or all of the))~~ services listed ~~((in RCW 71.20.060 and/or 71.20-070))~~ under chapter 71A-14 RCW. ~~((However, only the following services are eligible for division of developmental disabilities funds whenever such))~~ The department shall pay a county for department authorized services ~~((are purchased or))~~ provided ~~((for))~~ to an eligible developmentally disabled person ~~((s who are determined eligible by the department's bureau of developmental disabilities, case services, and in accordance with approved county plans and with service definitions, standards and guidelines issued by the division)).~~

~~((1))~~ Direct services may be provided in the following areas))

(2) A county may purchase or provide authorized services. Authorized services may include, but are not limited to:

(a) ~~((Child development))~~ Early childhood intervention services~~((:));~~

(b) Employment services~~((:));~~

(c) Community ~~((integration))~~ access services~~((: and));~~

(d) Residential services~~((:));~~

~~((2))~~ Indirect services may be provided in the following areas:

(a));

- (e) Individual evaluation;  
 (f) Program evaluation(~~(;~~  
~~(b))~~);  
 (g) County planning and administration(~~(;~~); and  
 (~~((c))~~) (h) Consultation and staff development.

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

AMENDATORY SECTION (Amending Order 1936, filed 1/12/83)

WAC 275-25-530 FUNDING FORMULA—DEVELOPMENTAL DISABILITIES. (1) For the purposes of this section, "county" shall mean the legal subdivision of the state, regardless of any agreement with another county to provide developmental disabilities services jointly.

(2) The allocation of funds to counties shall be based on the following criteria:

(a) The department may withhold up to ten percent of allocated funds to provide funding for new programs, for state-wide priority programs, and for emergency needs.

(b) Each county shall be guaranteed a minimum amount for basic developmental disabilities services subject to the availability of state and federal funds.

(c) The remainder of the funds shall be distributed either on a county per capita basis or on a rate per client basis, whichever will more equitably support developmental disabilities programs.

(3) A county may utilize seven or less percent of the county's allocated funds for county administrative expenses. A county may utilize more than seven percent for county administration with approval of the Division director. A county electing to provide all services directly, in addition to county administration, is exempt from this requirement.

Chapter 275-26 WAC

((DEVELOPMENTALLY DISABLED COMMUNITY TRAINING PROGRAM)) COMMUNITY RESIDENTIAL SERVICES AND SUPPORT

AMENDATORY SECTION (Amending Order 1945, filed 2/9/83)

WAC 275-26-005 PURPOSE. (1) The ((division of developmental disabilities, for the purpose of enabling certain developmentally disabled persons as defined in WAC 275-26-025 and 275-26-520 to live in an independent setting, may provide a training and support service to clients living in the client's own home)) purpose of these standards is to specify measures which shall carry out the legislative intent of Title 71A RCW authorizing the department to provide or contract for the provision of services to clients with developmental disabilities residing in community residential settings.

(2) ((The generally expected outcome of such services is the client's need for tenant support or alternative living services will be substantially decreased over time, depending upon the client's individual need)) Residential services shall provide eligible clients the opportunity to:

(a) Enjoy all rights and privileges under the Constitution and laws of the United States and the state of Washington;

(b) Participate in community life with nonhandicapped and less-handicapped persons to the greatest extent possible; and

(c) Achieve a greater measure of independence and fulfillment.

AMENDATORY SECTION (Amending Order 1945, filed 2/9/83)

WAC 275-26-010 DEFINITIONS. (1) ((Administrative hours)) Agency ((is a measure of time devoted to the function of administration and management of the organization. Administrative hours include time spent with employees related to the employee's overall job performance or other work management functions, but does not include the time spent by administrators relating to individual tenants)) means the department-certified entity providing residential instruction and support services to clients.

(2) ((Alternative living services" means the provision of training and support services to clients renting, buying or owning living accommodations.

(3) "Average monthly staff hours" is a measure of the average number of staff hours devoted to serving participating tenants. Average monthly staff hours is calculated by dividing the sum of staff and supervisory hours (excluding any hours devoted to administrative functions) by the tenant months.

(4) "Client" means a person determined by the division to be eligible for services funded by the division.

(5) "Certification" means the determination of satisfactory compliance with the rules and regulations outlined as referenced under this chapter.

(3) "Client" means a person the division determines under RCW 71A.16.040 and WAC 275-27-026 eligible for division-funded services.

(4) "Client/provider account" means an account in the name of one client where the client or client's provider has the authority to make deposits or withdrawals. The banking laws under RCW 30.22.040 refer to this as an "agency account".

(5) "Client services" means instruction and support activities promoting the following client-centered benefits:

(a) Health and safety;

(i) Needing and using health services;

(ii) Dealing with illness and injury and first aid procedures;

(iii) Learning about basic nutrition;

(iv) Maintaining good health;

(v) Obtaining mental health services when needed;

(vi) Learning about human sexuality;

(vii) Being aware of fire evacuation plans;

(viii) Knowing emergency procedures, including how to use 911 or a local emergency number;

(ix) Being aware of burglary protection strategies; and

(x) Learning self-protection.

(b) Personal power and choice:

(i) Securing housing and furnishings reflecting personal preferences, life style, and financial means;

(ii) Expressing opinions and making decisions;  
(iii) Learning and exercising rights and responsibilities;

(iv) Improving communication skills;

(v) Participating in various activities, including new experiences;

(vi) Exercising a voter's rights;

(vii) Learning about available protection and advocacy services; and

(viii) Making career choices.

(c) Positive recognition by self and others:

(i) Creating positive self-esteem and feelings of self-worth;

(ii) Choosing valued social roles; and

(iii) Having choices influencing valued perception of self and others.

(d) Integration in the physical and social life of the community:

(i) Residing in areas convenient to shopping, banking, eating, worshipping, learning, making friends, and otherwise participating in community life;

(ii) Assisting people to use available transportation;

(iii) Meeting new people and participating with other members of the community in shared activities; and

(iv) Accessing educational and vocational opportunities.

(e) Positive relationships:

(i) Establishing, maintaining, expanding, and improving relationships by providing personal interaction opportunities with people;

(ii) Involving the client's family, guardian, or representative in planning and decision making which affect the client;

(iii) Resolving disagreements among clients or among clients and family, friends, neighbors, and co-workers;

(iv) Coping with the loss of a significant relationship, such as the death of a friend or family member, end of a relationship, loss of a job, or change of staff.

(f) Competence and self-reliance:

(i) Learning and using skills useful to the client, such as meal planning, grocery shopping, meal preparation, cleaning laundry, using household appliances, money management and budgeting, and use of leisure time in settings where the skills are needed;

(ii) Identifying situations in which the client needs or desires assistance from others;

(iii) Accomplishing tasks requiring the assistance of staff or others; and

(iv) Acquiring and using adaptive devices and equipment.

(6) "Department" means the department of social and health services of the state of Washington.

((6)) (7) "Depositor", when utilized in determining the rights of persons to funds in an account, means a person who owns the funds.

(8) "Division" means the division of developmental disabilities of the department of social and health services.

((7)) "Individual direct service hours" is a measure of the hours of one-to-one tenant support services received

by a participating tenant, and is calculated for each service event by dividing the number of provider staff delivering a service event by the number of participating tenants in the event and multiplying by the duration of the event.

(8) "Participating tenants" means a person eligible for services from the division of developmental disabilities, referred to the provider by the division and placed in an independent living setting by the provider, receiving thirty or more individual direct service hours during the billing month, provided that a tenant entering or leaving the program during any billing month is considered a "participating tenant" if he or she received an average of one hour of individual direct service hours per day in the program))

(9) "Exemption" means the department's approval of a written request for an exception to a rule in this chapter.

(10) "Facility based" means a residence which is owned, leased, or rented by an entity other than the client.

(11) "Group home" means a residence licensed by the applicable state authority and operated by an agency certified by the division of developmental disabilities.

(12) "Group training home" means a residence meeting the definition of RCW 71A.22.020(2) and which is operated by an agency certified by the division of developmental disabilities as defined under RCW 71A.22.040.

(13) "Imprest fund" means a petty cash fund which has a pre-established limit. The total of the cash in the fund and receipts from withdrawals from the fund equal the pre-established limit.

(14) "Individual account" means one account in the name of one client primarily managed by a provider.

(15) "Individual client cash" means one client's cash controlled by the provider.

(16) "Instruction" means goal-oriented teaching addressing skill acquisition and skill enhancement.

(17) "Nonfacility based" means the client owns, leases, sub-leases, or rents a residence although others, except the department, may guarantee the client's credit.

((9)) (18) "Provider" means the ((tenant support agency, alternative living)) agency or ((alternative living)) individual ((provider contracted by)) with which the department ((to provide training)) contracts for providing client instruction and support services ((to clients)).

((10)) (19) "Residence" means the place or home where a client resides.

(20) "Residential service" means work or duties performed by the provider to meet clients' daily living needs and enhance clients' lives.

(21) "Secretary" means the secretary of ((the department or such officer the secretary may designate to carry out in whole or in part the administration of this chapter)) social and health services or the secretary's designee.

((11)) "Supervisory hours" is a measure of time devoted to the function of certain tenant related supervisory tasks such as consultation with employees related to

~~individual tenants or groups of tenants and specific program services.~~

~~(12)) (22) "Support" means:~~

~~(a) Assistance to ((the tenant or)) a client in performance of necessary functions or ((performance of necessary functions on behalf of the tenant or client. Where the client's skill has not been developed, support is provided as a substitute in those areas affecting the client's survival.)) tasks; or~~

~~(b) ((Assistance to the client in the fostering and development of typical relationships in the community.~~

~~(13) "Tenant" means a person eligible for services from the division, referred by the division to and receiving services from a tenant support agency, living or preparing to live, in his or her own independent living setting.~~

~~(14) "Tenant month" represents the average number of participating tenants attending the tenant support program during the billing month. A tenant month is calculated by multiplying the number of participating tenants attending the program for the full month by the number of days in the billing month, adding the number of days attended by participating tenants leaving or entering the program (providing the tenants attending for a partial month average one hour per day of individual direct service hours), dividing the sum by the number of days of the billing month. In the event the number of tenant months results in a fraction, the number shall be rounded to two decimal places.~~

~~(15) "Tenant support agency" means the entity certified by the department to provide training and support services to tenants who are or will be renting, buying or owning an apartment or home.~~

~~(16) "Tenant support services" means the provision of an average of forty-four hours monthly of training and support services to participating tenants served by a tenant support agency.~~

~~(17) "Training" means goal-oriented instruction targeting the skills not yet developed and enhancing the skill proficiencies affecting a tenant's or client's survival or independence.~~

~~(18) "Work day" means the day or days the local division of developmental disabilities field services office is open for business)) The performance of a task on behalf of a client, that is, someone else does the client's task.~~

~~(23) "Trust account" means an account containing two or more clients' funds where the provider has the authority to make deposits or withdrawals.~~

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings..

## NEW SECTION

WAC 275-26-019 EXEMPTIONS. (1) The department may approve an exemption to a specific rule in this chapter as defined under WAC 275-26-010(9) provided an:

(a) Assessment of the exemption request ensures granting the exemption shall not undermine the legislative intent of Title 71A RCW; and

(b) Evaluation of the exemption request shows granting the exemption shall not affect the quality of the services, supervision, health, and safety of department-served persons.

(2) Agencies and individual providers shall retain a copy of each department-approved exemption.

AMENDATORY SECTION (Amending Order 2349, filed 3/20/86)

WAC 275-26-020 CERTIFICATION. (1) Initial certification.

(a) The agency's application for initial certification shall include a mission statement, budget forecast, staff coverage schedule, staff in-service training plan, and agency policies and procedures. The department shall provide the county a copy of the agency's application. The department shall review the recommendations from the county.

(b) The agency shall file with the department a statement of assurance stating the agency shall not:

(i) Refuse a client's admission to the agency;

(ii) Deny participation in the activities of the agency;

or

(iii) Deny employment at the agency on the grounds of:

(A) Race;

(B) Religion;

(C) Marital status;

(D) Age;

(E) Sexual orientation;

(F) Color;

(G) Creed;

(H) National origin; or

(I) Handicapping condition, including communicable diseases and HIV/AIDS.

(c) The agency shall comply with:

(i) Relevant federal, state, and local laws and ordinances; and

(ii) Department-established standards of care, instruction, and support.

(d) Initial certification may be granted upon assurance the agency shall comply with the rules and regulations outlined under chapter 275-26 WAC within one hundred eighty days of the effective date.

(e) Upon receipt of initial certification, the agency shall be approved for receiving referrals and serving clients.

(f) In the event initial certification expires before the date of formal evaluation and review, the department may extend initial certification for a specified period of time, not to exceed one hundred eighty days.

(2) Regular certification.

(a) Upon the department's determination ((by the department)) of ((substantial)) satisfactory compliance with the rules and regulations described and referenced herein, through formal evaluation and review under WAC 275-26-030, the ((division)) department may certify ((a tenant support)) an agency as approved for continued referral of and service provision to ((tenants under the provision of chapter 72.33 RCW)) clients. ((This certification is required biennially, but may be

required more frequently by the division. Initial application or proposal for certification shall be reviewed by the county and recommendations shall be forwarded by the county to the division. The county may submit recommendations to the division prior to annual certification by the department))

(b) The agency's certification may be granted for either a one-year or two-year period, but the department may require a more frequent certification review.

(c) The county may submit recommendations to the department before certification.

(d) Regular certification may be extended for a period not to exceed one hundred eighty days.

~~((2))~~ (3) Provisional certification.

(a) An agency found ~~((to be substantially))~~ out of compliance with the provisions of this ~~((WAC))~~ chapter ~~((shall))~~ may be subject to ~~((interim))~~ provisional certification ~~((and revocation procedures as outlined in WAC 275-26-015))~~ not to exceed one hundred eighty days.

(b) When the agency does not comply with the requirements of chapter 275-26 WAC within the one hundred eighty days, the department shall initiate certification revocation. If the agency contests the department's ruling, the agency may request an administrative review conference as described under WAC 275-26-022.

(c) The department's notice of denial, modification, suspension, or revocation of certification is governed by chapter 43.20A RCW and section 95, chapter 175, Laws of 1989.

(d) When an agency comes into compliance with the requirements of chapter 275-26 WAC within one hundred eighty days, the department may grant a regular one-year or two-year certification.

(4) Decertification:

(a) When the department determines the agency does not comply with this chapter the department may revoke the agency's certification as governed under chapter 43.20A RCW and section 95, chapter 175, laws of 1989;

(b) If the agency contests the department's decision, the agency may request an administrative review conference as described under WAC 275-26-022.

#### NEW SECTION

WAC 275-26-021 REVIEW AND EVALUATION. (1) The department shall review and/or evaluate the agency's services as set forth by law or this chapter. Evaluation shall occur biennially, but the department may require more frequent evaluations.

(2) The department may, at any time, review each client's records and activities to ensure the agency continues serving the client's needs, interests, and welfare.

(3) The department shall file a report of the evaluation results. When the agency is out of compliance with the standards and regulations contained in chapter 275-26 WAC and department contracts, the report shall specify the corrective action to be implemented within a specific time. When corrective action is not implemented within the specified time, the department may withdraw the agency's certification as described under WAC 275-26-020.

(4) The department shall have the right to conduct additional evaluations or audits of the agency as the department deems necessary.

AMENDATORY SECTION (Amending Order 2997, filed 2/5/90, effective 3/1/90)

WAC 275-26-022 ADMINISTRATIVE REVIEW CONFERENCE—ADJUDICATIVE PROCEEDING PROCESS. (1) Within twenty-eight days after a ~~((tenant))~~ community residential support agency is notified of a certification determination it wishes to challenge, the agency shall request, in writing, that the division director or the division director's designee review such determination. The agency shall:

(a) Sign the request;

(b) Identify the challenged determination and the date thereof; and

(c) State as specifically as practicable the issues and regulations involved and the grounds for the agency's contention that the determination is erroneous. The agency shall include with the request copies of any documentation the agency intends to rely on to support its position.

(2) After receiving a timely request meeting the criteria of this section, the director shall contact the agency to schedule a conference for the earliest mutually convenient time. The director shall schedule the conference for no later than thirty days after a properly completed request is received, unless both parties agree, in writing, to a specific later date. The conference may be conducted by telephone unless either the department or the agency requests, in writing, the conference be held in person.

(3) The agency and appropriate representatives of the department shall attend the conference. The agency shall bring to the conference, or provide to the department in advance of the conference, any documentation the agency intends to rely on to support the agency's contentions. The parties shall clarify and attempt to resolve the issues at the conference. If additional documentation is needed to resolve the issues, a second session of the conference shall be scheduled for not later than thirty days after the initial session unless both parties agree in writing to a specific later date.

(4) Unless informal agreement has been reached at the conference, a written decision by the director of the division of developmental disabilities ~~((with))~~ shall be furnished to the agency within sixty days after the conclusion of the conference.

(5)(a) An agency contesting the director's determination shall within twenty-eight days of receipt of the determination:

(i) File a written application for an adjudicative proceeding by a method showing proof of receipt with the office of appeals; and

(ii) Include in or with the application:

(A) A specific statement of the issue or issues and law involved;

(B) The grounds for contesting the director's determination; and

(C) A copy of the director's determination being contested.



(b) The proceeding shall be governed by the Administrative Procedure Act (chapter 34.05 RCW), RCW 43.20A.205, this chapter, and chapter 388-08 WAC. If any provision in this chapter conflicts with chapter 388-08 WAC, the provision in this chapter governs.

AMENDATORY SECTION (Amending Order 1945, filed 2/9/83)

WAC 275-26-025 ELIGIBILITY FOR ((TENANT)) RESIDENTIAL SERVICES AND SUPPORT ((SERVICES)). ((In order to participate in tenant support services, the eligible person must:

- (1) Be eighteen years of age or older;
- (2) Already live or be prepared to move into an apartment or private community housing;
- (3) Have sufficient earned or unearned income to pay his or her housing, food, and other incidental costs;
- (4) Be able to identify emergencies independently and seek assistance;
- (5) Be able to be alone during night-time hours;
- (6) Be able to use or learn to use a telephone; may use adaptive equipment;
- (7) Does not consistently behave in a manner disruptive to the community;
- (8) Demonstrates basic self-help skills, such as eating, dressing, grooming, and toileting;
- (9) Demonstrates ability to use or learn to use public transportation independently and safely)) Any client authorized by the division of developmental disabilities shall be eligible for residential services as defined by this chapter.

AMENDATORY SECTION (Amending Order 1945, filed 2/9/83)

WAC 275-26-050 ((TENANT)) CLIENT REMUNERATION. ((Whenever appropriate or required by law, individual tenants)) Clients performing work for the ((tenant support)) agency shall be given remuneration in accordance with ((the minimum)) wage and hour laws ((unless exemption has been granted to the minimum wage under applicable laws of the federal department of labor and state department of labor and industries)) and requirements stipulated by federal and state law, unless the United States Department of Labor or state department of labor and industries has granted written exemption.

AMENDATORY SECTION (Amending Order 1945, filed 2/9/83)

WAC 275-26-055 ADMINISTRATION. (1) The ((tenant support)) owner or board of directors of the agency shall have department-approved written statements ((approved by the division)) including, but not limited to, the following:

- (a) Agency philosophy, objectives, and goals;
- (b) ((Description of the tenant support agency's) Program((;)) description and admission((, and discharge)) criteria;
- (c) Policies and procedures ((protecting the financial interests of the tenants;

~~(d) Policies and procedures describing designation of authority in the absence of the administrator and the agency's chain of authority;~~

~~(e) Policies and procedures describing methods of responding to emergencies including, but not limited to:~~

- ~~(i) Natural or other disaster;~~
- ~~(ii) Medical problems;~~
- ~~(iii) Involvement of the tenant with law enforcement agencies.~~

~~(f) Policies and procedures for notification of tenant's guardian and/or relatives in case of tenant's personal emergency)) describing the following:~~

(i) Division administrative policy number one prohibiting abuse:

(A) The agency administrator shall complete and file with the division the document entitled division of developmental disabilities administrative policy number one prohibiting a client's mistreatment, neglect, or abuse. The agency shall retain a copy of the document; and

(B) All agency staff working with clients shall sign a similar department-approved document. The agency shall keep the document on record.

(ii) Organizational chart and description showing all supervisory relationships;

(iii) Definition of staff roles and responsibilities, including the person designated to act in the absence of the administrator;

(iv) Criminal background inquiries required under chapter 388-330 WAC;

(v) Client confidentiality and release of information;

(vi) Client rights and grievance procedure;

(vii) Protection of client's financial interests, including management of client accounts, if applicable;

(viii) Drug administration, supervision, handling, storage, and disposal;

(ix) Self-administration of drugs, prescribed or not;

(x) Response to and contingency planning for:

(A) Medical emergencies;

(B) Natural or other disasters;

(C) Missing persons;

(D) Clients involved with law enforcement; and

(E) Unmanageable client behavior.

(xi) Notification of client's guardian and/or relatives in case of emergency.

(2) ~~((The tenant support agency director shall complete and file with the department the document entitled Division of Developmental Disabilities Administrative Policy Number 1, dated July 2, 1973, provided by the department prohibiting mistreatment, neglect or abuse of tenants. All staff working with tenants shall sign a similar document, approved by the department, compiled by the provider and kept in the staff's personnel file.~~

~~(3)(a) The tenant support agency will notify the division immediately of any serious incident involving a tenant, such as, when a tenant is missing, has had a serious injury or accident, or has been a victim or perpetrator of a felonious action, etc.~~

~~(b) Such notification will be followed by a written report of the incident submitted to the division on the next work day, unless an exception is granted by the division)) Following emergencies, as defined under WAC 275-27-020, the agency shall:~~



(a) Immediately notify the department orally of a serious incident or emergency as described in department policy;

(b) Submit a written incident report to the department as required by law or policy; and

(c) Notify the client's guardian or legal representative.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending Order 1945, filed 2/9/83)

WAC 275-26-060 PERSONNEL. (1) The ~~((pro-  
vider))~~ owner or board of directors of the agency shall maintain current written personnel policies and ~~((prac-  
tices))~~ procedures which shall be made available to all employees.

(2) ((Requirements for staff employed by the tenant support agency shall include, but not be limited to, the following:

(a) Be eighteen years of age or older;

(b) Demonstrate capacity to be an appropriate role model;

(c) Exhibit mature behavior and the ability to make independent judgments)) Personnel policies and practices shall not discriminate against any employee or applicant for employment because of race, color, sex, religion, national origin, creed, marital status, sexual orientation, age, Vietnam era or disabled veteran status, or the presence of any sensory, mental, or physical handicap, including communicable diseases, and HIV/AIDS, provided the sensory, mental, or physical handicap does not prevent the job's specific performance.

(3) Agency-employed staff shall meet the following minimum requirements:

(a) Have a background inquiry clearance by the authorized state agency;

(b) Exhibit mature behavior and the ability to make independent judgments;

(c) Be twenty-one years of age or older when employed as an administrator;

(d) Be eighteen years of age or older when employed as a direct care staff; and

(e) Have attained a high school diploma or GED equivalent. Current employees are exempt from subsection (3)(e) effective the date of this amendatory act.

(4) Agency employees shall treat a client with dignity and consideration, respecting the client's civil and human rights at all times.

(5) The performance of the administrator and each employee shall be evaluated, in writing ((at least)), annually or more often by the ((tenant support)) agency. An owner/administrator is exempt from this requirement.

~~(((4) Personnel policies and practices shall not discriminate against staff or prospective staff based upon a person's age, sex, marital status, race, creed, color, national origin or the presence of any sensory, mental or physical handicap. PROVIDED, That such sensory, mental or physical handicap does not prevent the specific~~

~~performance of the job)) (6) The administrator or administrator's designee shall be responsible for:~~

~~(a) Recruiting, employing, and arranging for residential services staff training;~~

~~(b) Terminating from employment any employee performing in an unsatisfactory manner; and~~

~~(c) Preparing and maintaining policies and procedures pertaining to clients personnel and financial records; and~~

~~(d) Securely storing client, personnel and financial records.~~

~~(7) Clients shall not be routinely involved in the instruction and support of other clients.~~

AMENDATORY SECTION (Amending Order 1945, filed 2/9/83)

WAC 275-26-065 STAFFING. (1) ~~((The tenant support))~~ An agency shall provide sufficient staff to administer the program((-) and perform ((training, supervision;)) instruction and support services.

(2) ((The tenant support)) An agency ((must)) shall provide the client with immediate ((accessibility)) access to ((tenant support agency)) staff or the means to contact staff twenty-four hours ((per)) a day, seven days each week.

(3) An agency required to have twenty-four hour on-duty staff coverage shall have a department-approved staff coverage schedule at the time of certification and when substantial changes occur. The agency shall retain a copy of department approval.

(4) Staff availability.

(a) An agency operating one residential program shall have a minimum of one paid half-time, twenty hours per week, administrator for the program.

(b) For programs licensed under the boarding home regulations an agency operating two or more residential programs shall have a minimum of one paid half-time, twenty hours per week, administrator for each program. The agency may utilize one paid full-time administrator, forty hours per week, at the department's discretion. The agency shall retain a copy of department approval.

(c) Each facility-based residence shall maintain staffing requirements applicable to the specific licensing regulations and contract requirements under which the agency operates.

(d) When only one direct care staff member is on duty, the agency shall make or have provisions for a second person on call in case of an emergency.

AMENDATORY SECTION (Amending Order 1945, filed 2/9/83)

WAC 275-26-070 STAFF TRAINING. (1) The agency shall orient the new employee to the agency's philosophy, goals, policies, procedures, and program services within the first:

(a) Two weeks of employment for staff scheduled to work twenty hours or more per week; or

(b) Four weeks of employment for staff scheduled to work less than twenty hours per week.

(2) The ((tenant support)) agency shall ensure ((that staff)) new employees receive a minimum of twelve hours of training during the first ((thirty days)) six

weeks of employment. Such training (~~((will involve))~~) shall include a combination of orientation, instruction, and ((supervised experience (working) with tenants. A minimum of four hours per month training shall be provided each direct service staff person during the first six months of employment)) on-the-job training.

(3) The agency shall provide a minimum of twenty training hours to each direct service employee during the subsequent five employment months. Such staff training shall include, but not be limited to:

- (a) Basic first aid/CPR;
- (b) Knowledge and transmission of Hepatitis B; and
- (c) Knowledge and transmission of human immunodeficiency virus (HIV), and acquired immunodeficiency syndrome (AIDS).

(4) The agency shall review and explain the current instruction and support plan for each client for whom the employee provides direct services before the employee works alone with the client.

(5) The agency shall document orientation, review, and training activities.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

#### NEW SECTION

WAC 275-26-071 **INDIVIDUAL SERVICE PLAN.** The agency shall participate with department staff, the client, the client's guardian or legal representative, and other interested persons in the development of the individual service plan (ISP), under RCW 71A-.18.010 and WAC 275-27-060, as required for each client.

#### NEW SECTION

WAC 275-26-072 **INSTRUCTION AND SUPPORT.** (1) The agency shall develop a written individual instruction and support plan (IISP) for each client:

- (a) Based on the goals established in the department's individual service plan (ISP);
- (b) Reflecting the client's preferences and concurrence;
- (c) Identifying activities promoting one or more of the following client services:
  - (i) Health and safety;
  - (ii) Personal power and choice;
  - (iii) Positive recognition by self and others;
  - (iv) Integration in the physical and social life of the community;
  - (v) Positive relationships; and
  - (vi) Competence and self-reliance.
- (d) Identifying the specific goal and describing the methods of instruction and support promoting client-centered benefits and independence in the community.

(2) The agency shall:

- (a) Implement the individual instruction and support plan (IISP) in a manner:
  - (i) Appropriate to the age of the client;
  - (ii) Taking place or occurring in typical community settings; and
  - (iii) Resulting in opportunities for:

- (A) Positive change;
- (B) Personal growth; and
- (C) Development toward maximum independence.

(b) Document progress toward achieving the benefits described in the individual instruction and support plan (IISP);

(c) Review the plan semi-annually or more often;

(d) Consult with other providers serving the client and other interested persons as needed to coordinate and promote the individual instruction and support plan (IISP); and

(e) Revise the individual instruction and support plan (IISP) as benefits are achieved.

#### NEW SECTION

WAC 275-26-073 **HEALTH SERVICES.** (1) The agency shall have a means and procedure for ensuring a client has access to personal care and hygiene services, health services, mental health services, and dental services. For a client for whom the agency provides an average of thirty hours or more of service per month, the agency shall provide instruction and support to the client by:

- (a) Maintaining health records;
- (b) Assisting the client to arrange appointments with health professionals;
- (c) Assisting and ensuring transportation for the client to health services;
- (d) Monitoring the client's implementation of medical treatment prescribed by health professionals; and
- (e) Communicating directly with health professionals, when indicated.

(2) For each client for whom the agency provides an average of thirty hours or more a month, the agency shall ensure the client receives an annual physical and dental examination unless an exemption is granted, in writing, from the appropriate medical professional.

(3) The agency shall document client refusal to participate in health care services. Documentation shall include:

- (a) A written description of events concerning client refusal to participate in health services; and
- (b) A written plan to teach the client the benefits of health care participation.

#### AMENDATORY SECTION (Amending Order 1945, filed 2/9/83)

WAC 275-26-075 (~~((TENANT))~~) **CLIENT RECORDS.** (1) The client's records shall include, but not be limited to, the following:

(a) The client's name, address, and Social Security Number;

(b) The client's guardian or legal representative's name, address, and telephone number;

(c) Copies of legal guardianship papers, if any;

(d) Client health records;

(i) Names, addresses, and telephone numbers of relatives or responsible persons and the name, address, and telephone number of the client's:

(A) Physician;

(B) Dentist;

(C) Mental health provider; or

(D) Others providing client health care services.

(ii) Health care providers' instructions regarding health care needed, including appointment dates and date of next appointment if appropriate;

(iii) Written documentation that the health care providers' instructions have been followed; and

(iv) A record of prosthesis and other artificial parts;

(e) A copy of the department's individual service plan (ISP); and

(f) The client's agency-developed individual instruction and support plan (IISP).

(2) ~~The ((tenant support))~~ agency shall maintain and keep current ~~((a record, including health and training records;))~~ documentation of:

(a) Instruction and support activities for each ((tenant served)) client as a basis for review, study, and evaluation of the overall progress in programs provided by the agency to the participating ((tenants)) clients;

(b) Semi-annual review of the IISP;

(c) Consultation with other service providers and other interested persons;

(d) IISP revisions and changes; and

(e) Other activities relevant to the client.

~~((2))~~ (3) The agency serving a client an average of thirty hours or more a month shall assist the client in maintaining a current, written property record. The record shall include:

(a) A list of personal possessions, including clothing the client purchases, with a value of one hundred dollars or more per item;

(b) A list of items the client owns when moving into the program;

(c) Description and identifying numbers, if any;

(d) The date of acquisition of items purchased after moving into the program;

(e) The date and reason for addition or removal from the record; and

(f) The signature of the staff making the entry.

(4) Individual providers shall maintain records as required by the department.

(5) The agency shall consider all client record information ((contained in a tenant's record shall be)):

(a) ~~((Considered))~~ Privileged and confidential;

(b) ~~((Used in the best interest of the tenant))~~ Available to the department, to the client, and to residential services staff, as needed, to provide client services;

(c) Available to ((all training and support staff, the department and, pursuant to RCW 71A.20.075,)) the county ((community)) developmental disabilities board when the department requests it as allowed under RCW 71A.14.070.

(6) The agency shall prepare and record all record entries:

(a) In ink;

(b) At the time of or immediately following the occurrence of the event recorded, in legible writing, dated, and signed by the person making the entry.

~~((3))~~ (7) Any transfer or inspection of records, except ((pursuant to)) under subsection ((2)) (5) of this section, shall be authorized by a release of information form, ((which is)) specific to the transfer or inspection

signed by the ~~((tenant))~~ client or ~~((, if incompetent by the))~~ guardian.

#### NEW SECTION

WAC 275-26-087 TRANSPORTATION. (1) The agency shall ensure or provide transportation for medical emergencies and medical appointments and therapies.

(2) The agency shall assist the client with or arrange transportation, in conjunction with the client and the division, for:

(a) Implementation of the individual service plan (ISP);

(b) Implementation of the individual instruction and support plan (IISP);

(c) Work, school or other publicly-funded services;

(d) Leisure or recreation activities; and

(e) Client-requested activities.

(3) An agency vehicle used to transport clients shall be:

(a) In safe operating condition; and

(b) Properly insured for its usage.

#### AMENDATORY SECTION (Amending Order 1945, filed 2/9/83)

WAC 275-26-095 PHYSICAL REQUIREMENTS. (1) ~~The ((tenant support agency, when assisting a tenant with establishing a residence, will ensure the tenant is offered choices of housing meeting the following requirements))~~ agency shall ensure facility-based residential services provide clients the following conditions or necessary equipment:

(a) ~~((One living unit serves as a residence for no more than three tenants))~~ A clean, safe, and healthful environment;

(b) ~~((Is located))~~ A location in a ((typical multi-family or single-family dwelling)) residential neighborhood within reasonable distance of necessary physical resources, such as stores, banks, laundromats, churches, job opportunities, and other public services;

(c) ~~((Is located in a neighborhood or apartment complex not having a predominant population comprised of handicapped, ill or infirm people))~~ An adequate first aid kit or supplies and a first aid manual; and

(d) ~~((Is located in an area providing easy access to public transit and necessary resources such as grocery, bank, laundromat, churches, and other public services;~~

(e) Is located in an area where access to tenant's work and/or work training involves not more than a reasonable effort;

(f) Has necessary equipment or conditions to guarantee minimum safety for the tenant in his or her housing unit, including, but not limited to)) Compliance with all licensing regulations, when applicable.

(e) Current facility-based agencies are exempt from subsection 1(b) effective the date of this amendatory act.

(2) The agency shall ensure nonfacility-based residential services provide clients with the following conditions or necessary equipment:

~~((f))~~ (a) A clean, safe, and healthful environment;

(b) Access to client-usable telephone equipment ((usable by the tenant));

~~((iii))~~ (c) A working smoke detector, light-alarmed if clients are hearing impaired, located in proximity to sleeping rooms;

~~((iii))~~ (d) A flashlight or other nonelectrical light source in working condition;

~~((iv))~~ (e) Basic first-aid supplies;

~~((v))~~ (f) An evacuation plan, developed and practiced with ~~((tenant for evacuation))~~ the client, placed or stored within the living unit;

~~((vi))~~ (g) A safe storage area for flammable and combustible materials;

~~((vii))~~ No space used for residential purposes accessible only by ladder, folding stairs or a trap door;

~~((viii))~~ (h) Unblocked exits; and

(i) Accessibility by customary forms of ingress and egress for space utilized for residential purposes, excluding ladders, folding stairs, or trap doors.

~~((2))~~ (3) The ~~((tenant support))~~ agency providing nonfacility-based residential services shall document activities with a ~~((tenant))~~ client relevant to subsection ~~((1))~~ (2) of this section. ~~((Such documentation shall be kept in the tenant's record.))~~

~~(3) Tenant support agencies serving tenants entered into the program prior to the effective date of this amendatory act are exempt from subsections (1)(a) through (c) of this section.))~~

#### NEW SECTION

WAC 275-26-100 PAYMENT FOR SERVICE.

(1) The department shall pay for residential services provided to eligible clients under department contract or policy.

(2) For a client receiving facility-based residential services and support:

(a) The client shall pay for cost of care or service from earnings or financial resources under department policy;

(b) Department payments under this chapter shall be supplemental to other financial resources of the client; and

(c) When a client's guardian controls the client's income, estate, or trust fund, the guardian shall reimburse the agency as described under this section.

(3) A client receiving nonfacility-based residential services shall pay for their own housing, utilities, food, clothing, and other personal and incidental expenses from earnings and other financial resources.

(4) The department shall require a client to participate in defraying the cost of services when mandated by federal or state statute or regulation.

(5) The provider shall inform the department when the client requires services beyond levels described under chapter 275-26 WAC. The department may approve and provide payment for additional expenses or services. The provider shall retain a copy of department approval.

(6) To ensure a client is not charged for services provided by state-funded programs, any payment made for health services with client funds shall be supported by the department's written denial.

#### NEW SECTION

WAC 275-26-107 PROGRAM SET-UP COST.

(1) The department may enter into a contractual agreement to reimburse the provider for costs incurred to establish the program. The provider's costs shall:

(a) Be based on a budget negotiated with the department; and

(b) Include client costs of establishing a residence.

(2) The provider shall submit the department-required billing documents.

#### NEW SECTION

WAC 275-26-110 CHANGE OF OWNERSHIP.

(1) An agency shall inform the department in writing sixty days prior to a change of ownership.

(2) On the effective date of a change of ownership, the department shall terminate the department's certification with the previous provider.

(3) The department shall withhold final payment to the previous provider until the previous provider submits and the department accepts all reports and required documents.

#### NEW SECTION

WAC 275-26-115 ACCOUNTING PROCEDURES FOR CLIENT ACCOUNTS. (1) Clients' cash or bank accounts controlled by a provider shall be subject to the provisions of this chapter. Clients' accounts shall include, but not be limited to:

(a) Trust accounts;

(b) Client/provider accounts;

(c) Individual accounts;

(d) Individual client cash; and

(e) Imprest fund(s).

(2) An account the client independently manages shall not be subject to the provisions of this section.

(3) The provider shall protect a client's financial interests by:

(a) Making available to the requesting client the money held for the client unless a client's guardian or legal representative makes other arrangements;

(b) Securing a client's or client's guardian's or legal representative's written consent for the management of the client's account;

(c) Keeping the client's account current by maintaining a running balance;

(d) Reconciling the client's account to the bank statement monthly;

(e) Making deposits to the client's account within one week of receiving the client's money;

(f) Preventing the client's account from becoming overdrawn or showing a debit;

(g) Limiting imprest and individual client cash funds to a reasonable amount necessary for the needs of the client, not to exceed fifty dollars per client;

(h) Maintaining documentation to support financial transactions for the specific type of account:

(i) Trust account records shall include:

(A) A control journal;

(B) Monthly bank statements and reconciliations;

(C) Checkbook registers and bankbooks;

- (D) Deposit receipts;
- (E) Canceled checks;
- (F) Receipts for purchases; and
- (G) Itemized subsidiary ledgers showing deposits, withdrawals, and interest payments to individual clients.
- (ii) Client/provider accounts or individual accounts shall include the following records:
  - (A) Monthly bank statements and reconciliations;
  - (B) Checkbook registers and bankbooks showing deposits, withdrawals, and interest payments to the client;
  - (C) Deposit receipts;
  - (D) Canceled checks; and
  - (E) Receipts for purchases.
- (iii) Individual client cash fund records shall include:
  - (A) A detailed ledger;
  - (B) Monthly reconciliation to the cash amount;
  - (C) Detailed accounting of money received on behalf of the client, including cash received from writing checks over the purchase amount and disposition of money spent; and
  - (D) Receipts for purchases costing over twenty dollars.
- (iv) Imprest fund records shall include:
  - (A) A subsidiary ledger;
  - (B) A monthly reconciliation to the cash amount;
  - (C) A detailed accounting of money received on behalf of the client and disposition of money spent;
  - (D) Receipts for purchases over the amount of twenty dollars;
  - (E) Itemized ledgers showing a client's deposits and withdrawals, and interest payments paid to clients.
- (i) Notifying the department when the client's account reaches three hundred dollars less than the maximum amount allowable by federal or state law; and
- (j) Making each client's account available for the secretary's audit and inspection.
- (k) Making client funds available to the client or a new provider on the day of transfer or movement when there is change of ownership or a client moves.
- (4) When a client's provider receives a check made out to the client, the provider assisting the client shall:
  - (a) Secure the client's signature and designation "for deposit only" and deposit the check to the client's account; or
  - (b) Secure the client's "x" mark in the presence of another witness; and
  - (i) Co-sign the check with the designation "for deposit only"; and
  - (ii) Deposit the check to the client's account.
- (5) When a provider manages client/provider accounts and individual accounts, the agency and client checks shall:
  - (a) Be signed at the time of purchase only;
  - (b) Be signed by the client;
  - (c) Be initialed or signed by the staff assisting the client; and
  - (d) Not be written for amounts greater than a purchase unless the provider maintains required documentation described under subsection (3)(h)(ii) of this section.

(6) A provider shall pay overdraft charges, fees resulting from the provider's error or mismanagement when they control:

- (a) Trust accounts;
- (b) Client/provider accounts; and
- (c) Imprest funds.
- (7) A provider shall pay service charges for trust accounts and imprest funds when they control them.
- (8) The agency shall retain all clients' financial records for a minimum of six years after audit, settlement or contract termination, including but not limited to:
  - (a) Client's related bankbooks;
  - (b) Bank statements;
  - (c) Checkbooks;
  - (d) Check registers; and
  - (e) All voided and canceled checks.
- (9) The client's provider may loan money to the client from the provider's funds and collect the debt from the client by installments.

(10) The client's provider shall not:

- (a) Charge the client interest for money loaned; or
- (b) Borrow funds from the client.
- (11) Upon a provider's transfer of ownership or movement of the client the previous provider shall within thirty days:
  - (a) Give the client, the client's guardian, or the client's legal representative a written accounting of all client's funds held by the provider;
  - (b) When applicable give the new provider a written accounting, in accordance with generally accepted accounting principles, of all transferred client funds;
  - (c) Obtain the client's, client's guardian's, or client's legal representative's written receipt for all the transferred funds; and
  - (d) When applicable, obtain the new provider's written receipt for the transferred funds.
- (12) When a client becomes incapacitated or a client's whereabouts are unknown, the client's provider shall within thirty days transfer the client's funds to the client's legal guardian or to the department.
- (13) When a client dies, the client's provider shall within thirty days transfer the client's funds to the client's legal guardian or to the department if the client does not have a legal heir.
- (14) The provider shall not release client funds to a person other than the client or the client's guardian or legal representative without the written consent of the client or the secretary.

#### REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 275-26-012 TENANT SUPPORT AGENCIES.
- WAC 275-26-015 INITIAL AND INTERIM CERTIFICATION.
- WAC 275-26-030 EVALUATION AND SUPERVISION.
- WAC 275-26-032 EMERGENCY AND OTHER SERVICES.
- WAC 275-26-080 HEALTH SERVICES.

WAC 275-26-085	TENANT SUPPORT PROGRAM PLAN.
WAC 275-26-090	TENANT SERVICES.
WAC 275-26-500	ALTERNATIVE LIVING PROGRAM.
WAC 275-26-520	ELIGIBILITY.
WAC 275-26-530	EVALUATION AND SUPERVISION.
WAC 275-26-540	ADMINISTRATION OF ALTERNATIVE LIVING SERVICES.
WAC 275-26-550	ALTERNATIVE LIVING SERVICES.
WAC 275-26-560	PROVIDER REQUIREMENTS.
WAC 275-26-570	MAXIMUM COMPENSATION.

AMENDATORY SECTION (Amending Order 2767, filed 2/28/89)

WAC 275-27-020 DEFINITIONS. (1) "Best interest" includes, but is not limited to, individual client ~~((program elements))~~ centered benefits designed to:

- (a) Achieve or maintain economic self-support;
- (b) Achieve or maintain self-sufficiency;
- (c) Prevent or remedy neglect, abuse, or exploitation of individuals unable to protect their own interest;
- (d) Preserve ~~((, rehabilitate,))~~ or reunite families; and
- (e) Prevent or reduce ~~((inappropriate))~~ institutional care by providing ~~((the least restrictive setting, such as))~~ community-based services, home-based services, or other forms of less-intensive service, to meet the individual's medical and personal needs.

(2) "Client or Person" means a person the division determines under RCW 71A.16.040 and WAC 275-27-026 eligible for division-funded services.

(3) "Department" means the department of social and health services of the state of Washington.

~~((3))~~ (4) "Director" means the director of the division of developmental disabilities.

~~((4))~~ (5) "Division" means the division of developmental disabilities of the department of social and health services.

~~((5))~~ (6) "Emergency" means a sudden, unexpected occurrence demanding immediate action.

~~((6))~~ (7) "Exemption" means the department's approval of a written request for an exception to a rule in this chapter.

(8) "ICF/MR" means a facility certified as an intermediate care facility for the mentally retarded by Title XIX to provide services to the mentally retarded or persons with related conditions.

(9) "Individual" means the person for whom division services are requested.

~~((7))~~ (10) "Informed consent" means an agreement obtained from ~~((an individual))~~ a person or ~~((his or her))~~ the person's authorized representative, for such ~~((individual's))~~ person's participation in an activity other than health care. Informed consent for health care shall be provided pursuant to RCW 7.70.065. The following information is necessary to informed consent:

(a) An explanation of the procedures to be followed including an identification of ~~((those which are))~~ experimental procedures;

(b) A description of the attendant discomforts and risks;

(c) A description of the expected benefits ~~((to be expected))~~;

(d) A disclosure of appropriate alternative procedures;

(e) An offer to answer ~~((any))~~ inquiries concerning the procedures; and

(f) Instruction that consent may be withdrawn and participation discontinued at any time.

~~((8))~~ (11) "Intelligence quotient score" means a full scale score on the Wechsler, or the intelligence quotient score on the Stanford-Binet or the Leiter International Performance Scale.

~~((9))~~ "More dependent program" means a program providing less opportunity for numbers and variety of community contacts for the individual or requiring more hours of staff supervision/training/support for the individual.

~~((10))~~ (12) "Nonresidential programs" means programs including, but not limited to, county-funded habilitation services.

~~((11))~~ (13) "Residential programs" means those programs providing domiciliary care and other services, including, but not limited to, state residential facilities, group homes, skilled nursing facilities, intermediate care facilities, congregate care facilities, boarding homes, children's foster homes, adult family homes, and group training homes.

~~((12))~~ (14) "Respite care" means temporary services provided to a developmentally disabled ~~((individual and/or))~~ person and the ~~((individual's))~~ person's family on either an emergency or planned basis without which the individual may need ~~((a more dependent program))~~ an alternative living environment.

~~((13))~~ (15) "Secretary" means the secretary of the department of social and health services or the secretary's designee.

**Reviser's note:** RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

NEW SECTION

WAC 275-27-023 EXEMPTIONS. (1) The department may approve an exemption to a specific rule in this chapter as defined under WAC 275-27-020(7) provided an:

(a) Assessment of the exemption shall not undermine the legislative intent of Title 71A RCW; and

(b) Evaluation of the exemption request shows granting the exemption shall not adversely effect the quality of the services, supervision, health, and safety of department-served persons.

(2) Agencies and individual providers shall retain a copy of each department-approved exemption.

AMENDATORY SECTION (Amending Order 2418, filed 8/29/86)

WAC 275-27-060 INDIVIDUAL SERVICE PLAN. (1) The division ~~((shall))~~ may develop a written individual service plan (ISP) or other planning documents for each person determined eligible for division and department services within ~~((sixty))~~ ninety days of the eligibility date. Interim services may be provided if ~~((deemed))~~ necessary.

(2) An ~~((individual service plan))~~ ISP shall be based on an assessment of ~~((the individual's))~~ a person's needs and will specify the services adjudged to be in the best interests of the ~~((client))~~ person and meet the ~~((individual's))~~ person's habilitation needs. The ~~((individual service plan))~~ ISP shall be in the form and manner specified by the director.

(3) A ~~((client))~~ person, ~~((his or her parent or parents))~~ the parent if a person is seventeen years of age or younger, or the person's guardian, or an advocate, or the service provider may request review or modification of the service plan at any time based on changed circumstances.

(4) The department's implementation of specific provisions of the plan shall require the development, review, and may require significant modifications of the ((individual service plan)) ISP and shall include, to the maximum extent possible((:)):

- (a) Appropriate division staff((:));
- (b) The ~~((client, his or her))~~ person;
- (c) The person's parent ((or parents)) or guardian((; and personal representative or));
- (d) Advocate; and
- (e) Representatives of the agency or facility which is, or will be, primarily responsible for the implementation of specific provisions of the plan.

(5) An ~~((individual service plan is))~~ ISP shall be a planning document, and ~~((is))~~ shall not be an authorization for services. ~~((A plan does))~~ An ISP shall not guarantee the authorization or delivery of services ~~((contained therein))~~. The authorization of such services is ~~((pursuant to))~~ described under WAC 275-27-230.

AMENDATORY SECTION (Amending Order 2418, filed 8/29/86)

WAC 275-27-230 AUTHORIZATION OF SERVICES. (1) The division's field services section shall be responsible for authorizing services received by ~~((all))~~ eligible ~~((division clients))~~ persons including, but not limited to:

- (a) Placement to and from residential habilitation centers;
- (b) Other community residential ((facilities, including, but not limited to, community IMR's, group homes, tenant support, and alternative living)) services;
- (c) Family support services; and
- (d) Nonresidential programs.

(2) The division's authorization of services shall be based on the availability of services and funding ((and/or services)).

(3) ~~((Determination of services to be authorized))~~ The division shall include((; to the maximum extent feasible;

~~the client, his or her parent or parents or guardian, and all))~~ the following persons when determining authorized services:

- (a) The person;
- (b) The person's parent or guardian and may include:
  - (i) The person's advocate; or
  - (ii) Other responsible parties.

(4) The division shall not make an emergency or temporary admission of ((any individual)) a person to a residential habilitation center ((shall not exceed thirty)) for thirty-one days or more without the written approval of the division director or the director's designee.

(5) ~~((A temporary admission of any individual to a residential habilitation center for respite care or diagnostic services shall not exceed thirty days))~~ The division shall authorize county-funded services only when the:

- (a) Service is included in a department contract;
- (b) Person is at least twenty-one years of age and graduated from school during their twenty-first year; or
- (c) Person is twenty-two years of age or older; or
- (d) Person is two years of age or younger and eligible for early intervention services.

(6) ~~((Placement by the division in a county-funded service is limited as follows:~~

(a) The service must be included in a state-approved county plan;

(b) ~~Placement and funding is limited to those cases where the local school district is not responsible for provision of county-funded services. PROVIDED, That:~~

(i) The division shall aid the client in obtaining required services from the local school district;

(ii) ~~Exceptions may be granted by the division for county-funded services during nonschool months))~~ The department shall require a person to participate in defraying the cost of services provided when mandated by state or federal regulation or statute.

AMENDATORY SECTION (Amending Order 2997, filed 2/5/90, effective 3/1/90)

WAC 275-27-500 ADJUDICATIVE PROCEEDING. (1) A client, former client, or applicant acting on ~~((his or her))~~ the applicant's own behalf or through an authorized representative has the right to an adjudicative proceeding to contest the following department actions:

(a) Denial or termination of eligibility set forth in WAC 275-27-030;

(b) Development or modification of the individual service plan set forth in WAC 275-27-060;

(c) Authorization, denial, reduction, or termination of services set forth in WAC 275-27-230;

(d) Admission or readmission to, or discharge from, a residential habilitation center;

(e) A claim the client, former client, or applicant owes an overpayment debt;

(f) A decision of the secretary under RCW 71A.10.060 or 71A.10.070;

(g) A decision to change a client's placement from one category of residential services to a different category of residential services.

(2) Adjudicative proceedings are governed by the Administrative Procedure Act (chapter 34.05 RCW), RCW



71A.10.050, the rules in this chapter, and by chapter 388-08 WAC. If any provision in this chapter conflicts with chapter 388-08 WAC, the provision in this chapter shall govern(s).

(3) ~~(An)~~ The applicant's application for an adjudicative proceeding ~~(must)~~ shall be in writing and filed with the DSHS office of appeals within ~~(thirty)~~ twenty-eight days of receipt of the decision the appellant wishes to contest.

(4) The department shall not implement the following actions while an adjudicative proceeding is pending:

(a) Termination of eligibility;

(b) Reduction or termination of service, except when the action to reduce or terminate the service is based on the availability of funding and/or service; or

(c) Removal or transfer of a client from a service, except when a condition in subsection (5)(f) of this section is present.

(5) The department shall implement the following actions while an adjudicative proceeding is pending:

(a) Denial of eligibility;

(b) Development or modification of an individual service plan;

(c) Denial of service;

(d) Reduction or termination of service when the action to reduce or terminate the service is based on the availability of funding ~~(and/or)~~ or service;

(e) After notification of an administrative law judge's (or review judge) ruling that the appellant has caused an unreasonable delay in the proceedings; or

(f) Removal or transfer of a client from a service when:

(i) An immediate threat to the client's life or health is present;

(ii) The client's service provider is no longer able to provide services due to:

(A) Termination of the provider's contract;

(B) Decertification of the provider;

(C) Nonrenewal of provider's contract;

(D) Revocation of provider's license; or

(E) Emergency license suspension(,or);

(iii) The client, the parent when the client is a minor, or the guardian when the client is an adult, approves the decision.

(6) When the appellant files an application to contest a decision to return a resident of a state residential school to the community, the procedures specified in RCW 71A.10.050(2) shall govern the proceeding. These procedures include:

(a) A placement decision shall not be implemented during any period during which an appeal can be taken or while an appeal is pending and undecided unless the:

(i) ~~(The)~~ Client's or ~~(his or her)~~ the client's representative gives written consent(,); or

(ii) ~~(The)~~ Administrative law judge (or review judge) after notice to the parties rules the appellant has caused an unreasonable delay in the proceedings.

(b) The burden of proof is on the department; and

(c) The burden of proof is whether the specific placement proposed by the department is in the best interests of the resident.

(7) The initial order ~~(should)~~ shall be made within sixty days of the department's receipt of the application for an adjudicative proceeding. When a party files a petition for administrative review, the review order ~~(should)~~ shall be made within sixty days of the department's receipt of the petition. The decision-rendering time is extended by as many days as the proceeding is continued on motion by, or with the assent of, the appellant.

AMENDATORY SECTION (Amending Order 2086, filed 3/14/84)

WAC 275-27-820 COMMUNITY ALTERNATIVES PROGRAM (CAP)—SERVICES. (1) The department may authorize the following services (may be authorized) under 42 CFR Part 435 as specified (by) in the ((individual service plan)) ISP:

(a) Case management services, including intake, eligibility determination, assessment of need, ~~((placement))~~ service coordination, service authorization, placement and case monitoring(,);

(b) Habilitation services, including ~~((training))~~ instruction, support, and supervision ((of)) in developing ((the individual's)) a person's physical skills, personal care, ((and)) social ((or)) and community integration skills(,);

(c) ~~((Respite care))~~ Family support for an eligible ((individuals)) person needing ((temporary)) support and supervision which the person's family cannot ((be provided by his or her family)) provide; and

(d) ~~((Professional and))~~ Other community-based services.

(2) The ~~((projected))~~ department cost of a person's services ~~((in the))~~ under CAP ~~((individual service plan may))~~ shall not exceed ~~((eighty))~~ one hundred percent of the cost of care in an ~~((HMR, as determined by DDD case management services at the time of individual service plan development))~~ ICF/MR.

(3) The division shall review CAP eligibility ~~((annually))~~ under 42 CFR Part 435 on forms specified by the division director.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

#### REPEALER

The following sections of the Washington Administrative Code are repealed:

275-27-300 COMPLETION OF INDIVIDUAL PROGRAM PLAN—RESIDENTIAL HABILITATION CENTERS.

275-27-310 EXCLUSION OF CHILD FROM EDUCATIONAL PROGRAM—RESIDENTIAL SCHOOLS.

275-27-320 DISCIPLINE—EXPULSION—SUSPENSION.

#### REPEALER

The following sections of the Washington Administrative Code are repealed:



- WAC 275-36-010 Definitions.  
 WAC 275-36-020 Approval and certification of group homes.  
 WAC 275-36-030 Certification of group homes.  
 WAC 275-36-040 Provisional initial certification or interim renewal certification.  
 WAC 275-36-050 Eligibility for placement in group home.  
 WAC 275-36-061 Supervision.  
 WAC 275-36-065 Investigation of complaints.  
 WAC 275-36-071 Payment for service.  
 WAC 275-36-081 Resident remuneration.  
 WAC 275-36-091 Group home administration.  
 WAC 275-36-101 Personnel.  
 WAC 275-36-110 Staffing.  
 WAC 275-36-120 Staff ratios.  
 WAC 275-36-130 Inservice staff training.  
 WAC 275-36-140 Resident records.  
 WAC 275-36-150 Personal care and hygiene.  
 WAC 275-36-153 First aid services.  
 WAC 275-36-160 Transportation.  
 WAC 275-36-170 Individual service plan.  
 WAC 275-36-180 Group home service plan.  
 WAC 275-36-190 Educational and vocational training.  
 WAC 275-36-200 Family involvement.  
 WAC 275-36-211 Group home set-up cost.  
 WAC 275-36-260 Change of ownership.  
 WAC 275-36-270 Accounting procedures for resident trust accounts.  
 WAC 275-36-275 Trust moneys—Imprest fund.  
 WAC 275-36-280 Trust moneys control or disbursement.  
 WAC 275-36-285 Trust moneys availability.  
 WAC 275-36-290 Accounting upon change of ownership.  
 WAC 275-36-295 Procedure for refunding or transferring trust funds.  
 WAC 275-36-300 Liquidation of trust funds.  
 WAC 275-36-305 Resident property records.  
 WAC 275-36-310 Administrative review conference—Adjudicative proceeding.

## Chapter 275-38 WAC

~~((IMR))~~ ICF/MR PROGRAM AND REIMBURSEMENT SYSTEMAMENDATORY SECTION (Amending Order 2629, filed 6/1/88)

WAC 275-38-001 TERMS—DEFINITIONS. Unless the context clearly requires otherwise, the following terms shall have the meaning set forth in this section when used in this chapter.

(1) "Accrual method of accounting" ((=)) means a method of accounting where revenues are reported in the period when earned, regardless of when collected, and expenses are reported in the period incurred, regardless of when paid.

(2) "Active treatment ((in institutions for the mentally retarded))" ((requires the following:

~~(a) The individual's regular participation, in accordance with an individual habilitation plan, in professionally developed and supervised activities, experiences, or therapies:~~

~~(b) A written individual habilitation plan setting forth measurable goals or objectives stated in terms of desirable behavior and prescribing an integrated program of activities, experiences, or therapies necessary for the individual to reach the goals or objectives. The overall purpose of the plan is to help the individual function at the greatest physical, intellectual, social, or vocational level he or she can presently or potentially achieve.~~

~~(c) An interdisciplinary professional evaluation:~~

~~(i) Completed, for a recipient, before admission to the institution but not more than three months before, and for an individual applying for Medicaid after admission, before the institution requests payment;~~

~~(ii) Consisting of complete medical, social, psychological diagnosis and evaluations, and an evaluation of the individual's need for institutional care; and~~

~~(iii) Made by a physician, a social worker, and other professionals, at least one of whom is a qualified mental retardation professional.~~

~~(d) Reevaluation medically, socially, and psychologically at least annually by the staff involved in carrying out the resident's individual plan of care. The reevaluation must include review of the individual's progress toward meeting the plan objectives, the appropriateness of the individual plan of care, assessment of his or her continuing need for institutional care, and consideration of alternate methods of care.~~

~~(e) An individual post-institutionalization plan, as part of the individual plan of care, developed before discharge by a qualified mental retardation professional and other appropriate professionals)) means "active treatment" as defined under 42 CFR 483.440(a) including implementation of an individual program plan for each client as outlined under 42 CFR 483.440 (c) through (f).~~

(3) "Administration and management" ((=)) means activities employed to maintain, control, and evaluate the efforts and resources of a facility or organization for the accomplishment of the objectives and policies of that facility or organization.

(4) "Admission" means entering and being authorized to receive services from a state-certified facility.

(5) "Allowable costs" ((=See)) are described under WAC 275-38-680.

~~((5))~~ (6) "Appraisal" ((=)) means the process of establishing the fair market value or reconstruction of the historical cost of an asset acquired in a past period as performed by ~~((an individual))~~ a person professionally designated either by the American Institute of Real Estate Appraisers as a member, appraisal institute (MAI), or by the Society of Real Estate Appraisers as a senior real estate analyst (SREA) or a senior real property appraiser (SRPA). The process includes a systematic, analytic determination, the recording and analyzing of property facts, rights, investments, and values based on a personal inspection and inventory of the property.

~~((6))~~ (7) "Arm's-length transaction" ~~((=))~~ means a transaction resulting from good-faith bargaining between a buyer and seller who have adverse positions in the market place. Sales or exchanges of ~~((HMR))~~ ICF/MR or nursing home facilities among two or more parties where all parties subsequently continue to own one or more of the facilities involved in the transaction shall not be considered arm's-length transactions. Sale of an ~~((HMR))~~ ICF/MR facility which is subsequently leased back to the seller within five years of the date of sale shall not be considered an arm's-length transaction for purposes of chapter 275-38 WAC.

~~((7))~~ (8) "Assets" ~~((=))~~ means economic resources of the contractor, recognized, and measured in conformity with ~~((generally accepted))~~ accounting principles. Assets also include ~~((certain))~~ deferred charges which are not resources, but ~~((which are))~~ recognized and measured in accordance with ~~((generally accepted))~~ accounting principles. The value of assets acquired in a change of ownership entered into after September 30, 1984, shall not exceed the acquisition cost of the owner of record as of July 18, 1984.

~~((8))~~ (9) "Bad debts" ~~((=))~~ means amounts considered ~~((to be))~~ uncollectable from accounts and notes receivable.

~~((9))~~ (10) "Beds" ~~((=))~~ means unless otherwise specified, the number of set-up beds in the ~~((HMR))~~ ICF/MR facility, not ~~((to exceed))~~ exceeding the number of licensed beds.

~~((10))~~ (11) "Beneficial owner" ~~((=))~~ means any person:

(a) Directly or indirectly, through any contract, arrangement, understanding, relationship, or otherwise has or shares:

(i) Voting power including the power to vote, or to direct the voting of such ownership interest; and/or

(ii) Investment power including the power to dispose, or to direct the disposition of such ownership interest.

(b) Directly or indirectly, who creates or uses a trust, proxy, power of attorney, pooling arrangement, or any other contract, arrangement, or device with the purpose or effect of divesting ~~((himself or herself))~~ to the same person of beneficial ownership of an ownership interest or preventing the vesting of such beneficial ownership as part of a plan or scheme to evade the reporting requirements of this chapter~~((:));~~

(c) Subject to subsection ~~((4))~~ (5) of this section, ~~((has))~~ with the right to acquire beneficial ownership of such ownership interest within sixty days, including but not limited to any right to acquire:

(i) Through the exercise of any option, warrant, or right;

(ii) Through the conversion of an ownership interest;

(iii) ~~((Pursuant to))~~ Under the power to revoke a trust, discretionary account, or similar arrangement; or

(iv) ~~((Pursuant to))~~ Under the automatic termination of a trust, discretionary account, or similar arrangement~~((:));~~

Except, any person acquiring an ownership interest or power specified in subsection ~~((10))~~ (11)(c)(i), (ii), or (iii) of this section shall be deemed ~~((to be))~~ the beneficial owner of the ownership interest acquired through

the exercise or conversion of such ownership interest or power~~((:));~~

(d) ~~((Any person))~~ Who in the ordinary course of business is a pledgee of ownership interest under a written pledge agreement and shall not be deemed ~~((to be))~~ the beneficial owner of such pledged ownership interest except under the following conditions:

(i) The pledgee shall take all formal steps necessary and be required to:

(A) Declare a default and determine the power to vote; or

(B) Direct the vote; or

(C) Dispose or direct the disposition of how such pledged ownership interest will be exercised~~((; and))~~.

(ii) The pledge agreement is bona fide and was not entered into with the purpose nor with the effect of changing or influencing the control of the contractor, nor in connection with any transaction having such purpose or effect, including any transaction with persons who meet the conditions set forth in subsection ~~((10))~~ (11)(b) of this section; and

(iii) The pledge agreement, ~~((prior to))~~ before default, does not grant to the pledgee the power to:

(A) ~~((The power to))~~ Vote or direct the vote of the pledged ownership interest; or

(B) ~~((The power to))~~ Dispose or direct the disposition of the pledged ownership interest, other than the grant of such power or powers ~~((pursuant to))~~ under a pledge agreement where credit is extended and where the pledgee is a broker or dealer.

~~((11))~~ (12) "Boarding home" ~~((=))~~ means any home or other institution licensed in accordance with chapter 18.20 RCW.

~~((12))~~ (13) "Capitalization" ~~((=))~~ means the recording of an expenditure as an asset.

~~((13))~~ (14) "Capitalized lease" ~~((=))~~ means a lease required to be recorded as an asset and associated liability in accordance with generally accepted accounting principles.

~~((14))~~ (15) "Cash method of accounting" ~~((=))~~ means a method of accounting where revenues are recognized only when cash is received, and expenditures are expensed, and asset items are not recorded until cash is disbursed.

~~((15))~~ (16) "Change of ownership" ~~((=))~~ means a change in the individual or legal organization responsible for the daily operation of an ~~((HMR))~~ ICF/MR facility.

(a) Events changing ownership include but are not limited to ~~((the following))~~:

(i) The form of legal organization of the owner is changed ~~((f))~~, such as a sole proprietor forms a partnership or corporation~~((:));~~

(ii) Title to the ~~((HMR))~~ ICF/MR enterprise is transferred by the contractor to another party;

(iii) The ~~((HMR))~~ ICF/MR facility is leased, or an existing lease is terminated;

(iv) Where the contractor is a partnership, any event ~~((occurs))~~ occurring dissolving the partnership;

(v) Where the contractor is a corporation, the corporation is dissolved, merges with another corporation which is the survivor, or consolidates with one or more other corporations to form a new corporation.

(b) Ownership does not change when the following occurs:

(i) A party contracts with the contractor to manage the enterprise as the contractor's agent, ~~((f-r:))~~ that is, subject to the contractor's general approval of daily operating decisions~~((:))~~;

(ii) If the contractor is a corporation, some or all of its stock is transferred.

~~((+6))~~ (17) "Charity allowances" ~~((=))~~ means reductions in charges made by the contractor because of the indigence or medical indigence of a resident.

~~((+7))~~ (18) "Client or Person" means a person the division determines, under RCW 71A.16.040 and WAC 275-27-026, eligible for division-funded services.

(19) "Consent" means the process through which a person's agreement is obtained for procedures and for taking actions affecting that person.

(20) "Contract" ~~((=))~~ means a contract between the department and a contractor for the delivery of ~~((HMR))~~ ICF/MR services to eligible Medicaid recipients.

~~((+8))~~ (21) "Contractor" ~~((=))~~ means an entity contracting with the department to deliver ~~((HMR))~~ ICF/MR services to eligible Medicaid recipients.

~~((+9))~~ (22) "Courtesy allowances" ~~((=))~~ means reductions in charges in the form of an allowance to physicians, clergy, and others~~((:))~~ for services received from the contractor. Employee fringe benefits are not considered courtesy allowances.

~~((20))~~ "CSO" — ~~The local community services office of the department.~~

~~((21))~~ (23) "Custody" means immediate physical attendance, shelter, and supervision of a person for purposes of the person's care and welfare.

(24) "DDD" ~~((=))~~ means the division of developmental disabilities of the department.

~~((22))~~ (25) "Department" ~~((=))~~ means the department of social and health services (DSHS) and its employees.

~~((23))~~ (26) "Depreciation" ~~((=))~~ means the systematic distribution of the cost or other base of a tangible asset, less any salvage, over the estimated useful life of the asset.

~~((24))~~ (27) "Discharge" means the resident's leaving the residential facility and the facility's relinquishment of responsibilities acquired by reason of the acceptance for admission of the resident.

(28) "Donated asset" ~~((=))~~ means an asset the contractor acquired without making any payment in the form of cash, property, or services. An asset is not a donated asset if the contractor made even a nominal payment in acquiring the asset. An asset purchased using donated funds is not a donated asset.

~~((25))~~ (29) "Entity" ~~((=))~~ means an individual, partnership, corporation, public institution established by law, or any other association of individuals, capable of entering enforceable contracts.

~~((26))~~ (30) "Equity capital" ~~((=))~~ means total tangible and other assets necessary, ordinary, and related to resident care from the most recent provider cost report minus related total long-term debt from the most recent provider cost report plus working capital as defined in this section.

~~((27))~~ (31) "Exemption" means the department's approval of a written request for an exception to a rule in this chapter.

(32) "Facility" ~~((=))~~ means a residential setting certified as an ~~((HMR))~~ ICF/MR by the department in accordance with federal regulations. A state facility is a state-owned and operated residential habilitation center or a state-operated living alternative (SOLA). A non-state facility is a residential setting licensed in accordance with chapter 18.51 RCW as a nursing home or chapter 18.20 RCW as a boarding home.

~~((28))~~ (33) "Fair market value" ~~((=))~~ means the price the asset would have been purchased for on the date of acquisition in an arm's-length transaction between a well-informed buyer and seller, neither being under any compulsion to buy or sell.

~~((29))~~ (34) "Financial statements" ~~((=))~~ means statements prepared and presented in conformity with ~~((generally accepted))~~ accounting principles and this chapter including, but not limited to, balance sheet, statements of operations, statements of changes in financial position, and related notes.

~~((30))~~ (35) "Fiscal year" ~~((=))~~ means the operating or business year of a contractor. All contractors report on the basis of a twelve-month fiscal year, but provision is made in this chapter for reports covering abbreviated fiscal periods.

~~((31))~~ (36) "Funded capacity" for a state facility means the number of beds on file with the office of financial management by the first day of each biennium for operation during each ensuing fiscal year.

(37) "Generally accepted accounting principles" ~~((=))~~ means accounting principles currently approved by the financial accounting standard board (FASB).

~~((32))~~ (38) "Generally accepted auditing standards" ~~((=))~~ means auditing standards approved by the American Institute of Certified Public Accountants (AICPA).

~~((33))~~ (39) "Goodwill" ~~((=))~~ means the excess of the price paid for a business over the fair market value of all other identifiable, tangible, and intangible assets acquired. "Goodwill" also~~((:))~~ means the excess of the price paid for an asset over fair market value.

~~((34))~~ (40) "Habilitative services" ~~((=))~~ means those services required by the individual habilitation plan provided or directed by qualified therapists.

~~((35))~~ (41) "Harmful" means situations when the individual is at immediate risk of serious bodily harm.

(42) "Historical cost" ~~((=))~~ means the actual cost incurred in acquiring and preparing an asset for use, including feasibility studies, architects' fees, and engineering studies.

~~((36))~~ (43) "Imprest fund" ~~((=))~~ means a fund:

(a) That is regularly replenished in exactly the amount expended from the fund; and

(b) In which the cash and expended receipts always equal a predetermined amount.

~~((37))~~ "HMR" — ~~When referring to~~ (44) "ICF/MR" means a facility~~((-one))~~ certified as an intermediate care facility for the mentally retarded by Title XIX to provide services to the mentally retarded or persons with related conditions~~((-When referring to a level of care,~~

~~HMR is a range of services required for the mentally retarded or persons with related conditions. When referring to a person, a recipient requiring HMR services).~~

~~((38)) (45) "Interest" ((=)) means the cost incurred for the use of borrowed funds, generally paid at fixed intervals by the user.~~

~~((39)) (46) "Joint facility costs" ((=)) means any costs representing expenses incurred benefiting more than one facility, or one facility and any other entity.~~

~~((40)) (47) "Lease agreement" ((=)) means a contract between two parties for the possession and use of real or personal property or assets for a specified period of time in exchange for specified periodic payments. Elimination or addition of any party to the contract, expiration, or modification of any lease term in effect on January 1, 1980, or termination of the lease by either party by any means shall constitute a termination of the lease agreement. An extension or renewal of a lease agreement, whether or not ((pursuant to)) under a renewal provision in the lease agreement, shall be considered a new lease agreement. A strictly formal change in the lease agreement which modifies the method, frequency, or manner in which the lease payments are made, but does not increase the total lease payment obligation of the lessee shall not be considered modification of a lease term.~~

~~((41) "Levels of care" The classification of levels of services provided to residents by a contractor, (e.g., levels A, B, C, D, and E).~~

~~((42)) (48) "Medicaid program" ((=)) means the state medical assistance program provided under RCW 74.09.500 or authorized state medical services.~~

~~((43)) (49) "Medical assistance recipient" ((=)) means an individual determined eligible for medical assistance by the department for the services provided in chapter 74.09 RCW.~~

~~((44)) (50) "Modified accrual method of accounting" ((=)) means a method of accounting in which revenues are recognized only when cash is received, and expenses are reported in the period in which incurred, regardless of when paid.~~

~~((45)) (51) "Net book value" ((=)) means the historical cost of an asset less accumulated depreciation.~~

~~((46)) (52) "Nonallowable costs" ((=Same as "unallowable)) means costs((<sup>u</sup>)) not allowed under WAC 275-38-680.~~

~~((47)) (53) "Nonrestricted funds" ((=)) means donated funds not restricted to a specific use by the donor, ((e.g.)) for example, general operating funds((<sup>o</sup>)).~~

~~((48)) (54) "Nursing home" ((=)) means a home, place, or institution, licensed in accordance with chapter 18.51 RCW, where skilled nursing, intermediate care, ((and/or HMR)) and ICF/MR services are delivered.~~

~~((49)) (55) "Operating lease" ((=)) means a lease under which rental or lease expenses are included in current expenses in accordance with ((generally accepted)) accounting principles.~~

~~((50)) (56) "Owner" ((=)) means a sole proprietor, general or limited partner, or beneficial interest holder of five percent or more of a corporation's outstanding stock.~~

~~((51)) (57) "Ownership interest" ((=)) means all interests beneficially owned by a person, calculated in~~

the aggregate, regardless of the form such beneficial ownership takes.

~~((52)) (58) "Per diem (per resident day) costs" ((=)) means total allowable costs for a fiscal period divided by total resident days for the same period.~~

~~((53)) (59) "Prospective daily payment rate" ((=)) means the daily amount the department assigns to each contractor for providing services to ((HMR)) ICF/MR residents. The rate is used to compute the maximum participation of the department in the contractor's costs.~~

~~((54)) (60) "Qualified mental retardation professional (QMRP)" ((A therapist approved by the department having specialized training and one year's experience in working with the mentally retarded or developmentally disabled)) means QMRP as defined under 42 CFR 483.430(a).~~

~~((55)) (61) "Qualified therapist" ((=)) means any of the following:~~

(a) An activities specialist having specialized education, training, or experience as specified by the department((:));

(b) An audiologist eligible for a certificate of clinical competence in audiology or having the equivalent education and clinical experience((:));

(c) A dental hygienist as defined by chapter 18.29 RCW((:));

(d) A dietitian: Eligible for registration by the American Dietetic Association under requirements in effect on January 17, 1974; or having a baccalaureate degree with major studies in food and nutrition, dietetics, or food service management; having one year supervisory experience in the dietetic service of a health care institution; and participating annually in continuing dietetic education((:));

(e) An occupational therapist being a graduate of a program in occupational therapy, or having the equivalent of such education or training, and meeting all requirements of state law((:));

(f) A pharmacist as defined by chapter 18.64 RCW((:));

(g) A physical therapist as defined by chapter 18.74 RCW((:));

(h) A physician as defined by chapter 18.71 RCW or an osteopathic physician as defined by chapter 18.57 RCW((:));

(i) A psychologist as defined by chapter 18.83 RCW((:));

(j) A qualified mental retardation professional((:));

(k) A registered nurse as defined by chapter 18.88 RCW((:));

(l) A social worker who is a graduate of a school of social work.

(m) A speech pathologist eligible for a certificate of clinical competence in speech pathology or having the equivalent education and clinical experience.

~~((56) "Recipient" - An eligible medical care recipient.~~

~~((57)) (62) "Regression analysis" ((=)) means a statistical technique through which one can analyze the relationship between a dependent or criterion variable and a set of independent or predictor variables.~~

~~((58))~~ (63) "Regional services" ~~((=))~~ means services of a local office of the division of developmental disabilities.

~~((59))~~ (64) "Related organization" ~~((=))~~ means an entity which is under common ownership and/or control with, or has control of or is controlled by, the contractor. An entity is deemed to "control" another entity if one entity has a five percent or greater ownership interest in the other, or if an entity has capacity, derived from any financial or other relationship, and whether or not exercised, to influence directly or indirectly the activities of the other.

~~((60))~~ (65) "Relative" ~~((=))~~ means spouse; natural parent, child, or sibling; adopted child or adoptive parent; stepparent, stepchild, stepbrother, stepsister; father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law; grandparent or grandchild; uncle, aunt, nephew, niece, or cousin.

~~((61))~~ (66) "Resident day" ~~((=))~~ means a calendar day of resident care. In computing calendar days of care, the day of admission is always counted. The day of discharge is counted only when the resident was admitted on the same day. A ~~((resident))~~ person is admitted for purposes of this definition when ~~((she or she))~~ the person is assigned a bed and a resident record is opened.

~~((62))~~ (67) "Resident living staff (also known as resident care and training staff)" ~~((=))~~ means staff whose primary responsibility is the care and development of the residents, including:

- (a) Resident activity program;
- (b) Domiciliary services; ~~((and/or))~~ and
- (c) Habilitative services under the supervision of the QMRP.

~~((63))~~ (68) "Restricted fund" ~~((=))~~ means a fund where the use of the principal ~~((and/or))~~ or income is restricted by agreement with or direction by the donor to a specific purpose, in contrast to a fund over which the owner has complete control. These generally fall into three categories:

- (a) Funds restricted by the donor to specific operating purposes;
- (b) Funds restricted by the donor for additions to property, plant, and equipment; and
- (c) Endowment funds.

~~((64))~~ (69) "Secretary" ~~((=))~~ means the secretary of DSHS.

~~((65))~~ (70) "Start-up costs" ~~((=))~~ means the one-time preopening costs incurred from the time preparation begins on a newly constructed or purchased building until the first resident is admitted. Start-up costs include administrative and nursing salaries, utility costs, taxes, insurance, repairs and maintenance, training costs, etc. Start-up costs do not include expenditures for capital assets.

~~((66))~~ (71) "Superintendent" means the superintendent or the superintendent's designee of a residential habilitation center.

(72) "Title XIX" ~~((=))~~ means the 1965 amendments to the Social Security Act, P.L. 89-07, as amended.

~~((67))~~ "Unallowable costs" ~~= Costs not meeting every test of an allowable cost, as determined in WAC 275-38-680.~~

~~((68))~~ (73) "Uniform chart of accounts" ~~((=))~~ means a list of account titles identified by code numbers established by the department for contractors to use in reporting costs.

~~((69))~~ (74) "Vendor number (also known as provider number)" ~~((=))~~ means a number assigned to each contractor delivering ~~((HMR))~~ ICF/MR services to ~~((HMR))~~ ICF/MR Medicaid recipients.

~~((70))~~ (75) "Working capital" ~~((=))~~ means total current assets necessary, ordinary, and related to resident care as reported in the most recent cost report minus total current liabilities necessary, ordinary, and related to resident care from the most recent cost report.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

### NEW SECTION

WAC 275-38-003 EXEMPTIONS. (1) The department may approve an exemption to a specific rule in this chapter as defined under WAC 275-38-001(31) provided an:

(a) Assessment of the exemption request ensures granting the exemption shall not undermine the legislative intent of Title 71A RCW; and

(b) Evaluation of the exemption request shows granting the exemption shall not adversely effect the quality of the services, supervision, health, and safety of department-served persons.

(2) Agencies and individual providers shall retain a copy of each department-approved exemption.

AMENDATORY SECTION (Amending Order 2629, filed 6/1/88)

WAC 275-38-005 ~~((HMR))~~ ICF/MR CARE. (1) The department has the administrative and legal ~~((responsibility))~~ authority to purchase and provide ICF/MR the services ~~((of an institution for the mentally retarded and persons with similar conditions (HMR), and HMR-based services))~~ for eligible developmentally disabled persons. The department has the responsibility to assure adequate care, service, and protection are provided through licensing and certification procedures.

(2) ~~((The intent of))~~ This chapter ~~((is to establish))~~ establishes standards for habilitative training, health related care, supervision, and residential services to eligible persons.

(3) Each state and nonstate ~~((HMR))~~ ICF/MR facility shall be certified as a Title XIX ~~((HMR))~~ ICF/MR facility.

(4) Each nonstate ~~((HMR))~~ ICF/MR facility with a certified capacity of sixteen beds or more shall be licensed as a nursing home in accordance with chapter 18.51 RCW.

(5) Each nonstate ~~((HMR))~~ ICF/MR facility with a certified capacity of fifteen beds or less shall be licensed as a boarding home for the aged in accordance with chapter 18.20 RCW.

(6) Facilities certified to provide ((HMR)) ICF/MR services must comply with all applicable federal regulations under Title XIX, Section 1905 of the Social Security Act 42 U.S.C. as amended, and nonstate-operated facilities must comply as well ((as)) with state regulations governing the licensing of nursing homes or boarding homes for the aged, and other relevant state regulations.

(7) Certified facilities shall admit only developmentally disabled persons as residents.

(8) State facilities may not exceed funded capacity, unless otherwise authorized by the secretary in accord with RCW 71.A.20.090.

(9) The sections of this chapter will supersede and replace any and all sections affecting ((HMR)) ICF/MR facilities or programs in chapters 388-88 and 388-96 WAC except where specifically referenced in this chapter.

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

#### AMENDATORY SECTION (Amending Order 1853, filed 8/3/82)

WAC 275-38-045 MINIMUM STAFF REQUIREMENTS. ((+)) Each ((level of HMR must)) ICF/MR shall provide staff adequate in numbers and qualifications to meet the needs of the residents.

((2)) ~~Specifically, the HMR must provide at least the following:~~

(a) Level A:

(i) ~~Facility-based physician staff to provide for twenty-four hour medical supervision to include examination, diagnosis, planning, implementation, and review of appropriate medical regimen for each resident;~~

(ii) ~~One full-time registered nurse as director of nursing services with sufficient additional licensed nurses to provide twenty-four hour nursing supervision;~~

(iii) ~~Facility-based qualified therapist staff in accordance with WAC 275-38-025;~~

(iv) ~~Sufficient resident living staff to meet the needs of the residents in care level A;~~

(v) ~~Sufficient qualified mental retardation professional staff to meet the needs of the residents.~~

(b) Level B:

(i) ~~Facility-based physician staff sufficient to provide for medical supervision to include examination, diagnosis, planning, implementation, and review of an appropriate medical regimen for each resident;~~

(ii) ~~At least one registered nurse responsible as the director of nursing services and in addition sufficient licensed nurses to provide nursing supervision of the facility for at least eight hours per day;~~

(iii) ~~Facility-based qualified therapist staff in accordance with WAC 275-38-025;~~

(iv) ~~Sufficient resident living staff to meet the needs of the residents in care level B;~~

(v) ~~Sufficient qualified mental retardation professional staff to meet the needs of the residents.~~

(c) Level C:

(i) ~~A physician as a consultant medical director to the facility;~~

(ii) ~~One full-time registered nurse as director of nursing services with additional licensed nurses to provide twenty-four hour nursing supervision of the facility;~~

(iii) ~~Sufficient resident living staff to meet the needs of the residents in care level C;~~

(iv) ~~Sufficient qualified mental retardation professional staff to meet the needs of the residents;~~

(v) ~~Consultant qualified therapist staff in accordance with WAC 275-38-025.~~

(d) Level D:

(i) ~~A physician as a consultant medical director to the facility;~~

(ii) ~~A licensed nurse responsible as the director of nursing services with additional licensed nurses to provide nursing supervision of the facility for at least eight hours per day;~~

(iii) ~~Sufficient resident living staff to meet the needs of the residents in care level D;~~

(iv) ~~Sufficient qualified mental retardation professional staff to meet the needs of the residents;~~

(v) ~~Consultant qualified therapist staff in accordance with WAC 275-38-025.~~

(e) Level E:

(i) ~~A physician as a consultant medical director to the facility;~~

(ii) ~~A registered nurse as a consultant to the facility, responsible for the health care needs of the residents;~~

(iii) ~~Sufficient resident living staff must be provided to assure at least one staff is on duty in the facility when residents are present;~~

(iv) ~~Sufficient qualified mental retardation professional staff to meet the needs of the residents;~~

(v) ~~Qualified consultant therapists in accordance with WAC 275-38-025.)~~

#### AMENDATORY SECTION (Amending Order 1853, filed 8/3/82)

WAC 275-38-050 PLACEMENT OF ((HMR)) CLIENT. (1) Placement into an ((HMR)) ICF/MR facility is the responsibility of the division of developmental disabilities and shall be accomplished in accordance with the applicable federal and state regulations.

(2) The client's ((classification and)) eligibility for ((HMR)) ICF/MR services shall be determined by department representatives ((of the department)) before payment can be approved((:)), provided((, That)) a facility may not admit a client requiring services the facility is not able to provide.

#### AMENDATORY SECTION (Amending Order X [1853], filed X [8/3/82])

WAC 275-38-055 TRANSFER OF ((HMR)) CLIENT-RELOCATION. (1) The department is responsible for assuring ((individual)) the client's health care and habilitative training needs are identified and met, as provided by state and federal regulations. The department is ((therefore)) responsible for assuring ((that)) each client is placed in a facility certified as capable of meeting the needs of the client. The division's regional services section shall be responsible for authorizing changes in residential services.

(2) ~~((Each))~~ A client admitted to a facility may be transferred or discharged only for medical reasons, ~~((or))~~ for ~~((his or her))~~ the client's welfare, or for the welfare of other residents of the facility. This determination shall be made by the department based on an assessment of the resident, consultation with the service provider, the parent or guardian, and a review of the relevant records.

(3) If the department services ~~((being))~~ provided to a resident are not commensurate with the resident's needs, the department is responsible for initiating and facilitating the resident's relocation. The department shall consider a resident in a state facility eligible for community residential services when such services appropriately meet the person's individual needs.

A circumstance where the department ~~((would))~~ may enforce immediate movement of a resident from an ~~((HMR))~~ ICF/MR facility is the revocation or suspension of the ~~((HMR))~~ ICF/MR certification ~~((and/or))~~ or license.

~~((Upon the determination by the department that a facility will no longer operate or be allowed to operate an HMR, because of any violation of the facility's contract or these regulations or state or federal law, the department will provide notice to the resident and the guardian, next of kin, or responsible party that thirty days following the mailing date of the letter, the resident will be required to relocate. PROVIDED, That nothing in this section shall require a pretransfer notice be given when the secretary or his or her designee determines an immediate threat to health and/or safety exists or moves may be accomplished sooner at the request of the resident or with the resident's consent))~~ The department shall notify, in writing, the resident and resident's guardian, next of kin, or responsible party of the facility's certification or contract status when the:

(a) Department or health care financing administration (HCFA) determines a facility no longer meets certification requirements as an ICF/MR; or

(b) Department determines the facility does not meet contract requirements; or

(c) Facility voluntarily terminates the facility's contract or participation in the ICF/MR program.

(5) When the department determines a resident's relocation is necessary, the department shall give the resident and resident's guardian, next of kin, or responsible party twenty-eight days notice, in writing, of the department's intent to relocate the resident as required under WAC 275-38-060.

(6) When the department determines there is a serious and immediate threat to the resident's health or safety, the department shall not be required to give the resident and resident's guardian, next of kin, or responsible party twenty-eight days notice of the resident's relocation.

(7) Decertification, termination, or nonrenewal of contract actions require a stop payment of Title XIX funds. Such actions do not affect the facility's right to operate as a nursing home or boarding home, but does disqualify the facility from operating as an ((HMR))

ICF/MR facility and receiving federal funds. ((When termination of federal funds is contemplated, residents must be informed:

~~((6) When relocation is required, a designated representative of the department will conduct a review and assessment for the classification. Thirty days prior to any implementation of a change in the level of care, resulting in the change of the services required and provided, or because of the transfer, the department shall notify, in writing, the resident and guardian, next of kin, or responsible party pursuant to WAC 275-38-060.))~~

~~((7))~~ (8) Grounds for the request by a facility to have a resident relocated or discharged are limited to the following:

(a) Medical reasons;

(b) Resident's welfare;

(c) The welfare of the other residents; or

(d) Nonpayment of services provided to the resident during ((his or her)) the resident's stay at the facility.

The facility shall follow the following procedure for resident relocation or discharge:

(i) The facility shall send a request in writing to the department, for relocation or discharge of a resident. ((This)) The facility's request shall include the grounds for the request and substantiation of concurrence by the interdisciplinary team in the development of an appropriate individual habilitation plan((-));

(ii) The department shall approve or deny the request for relocation or discharge based on an on-site visit with the resident and a review of ((his or her)) the resident's records, within fifteen working days following the receipt of the request((-);

(iii) The facility administrator shall be informed of the department's approval or denial of the request((-);

(iv) If the facility's request is approved, the department shall notify, in writing, the resident ((or)) and the resident's guardian, or next-of-kin, or responsible party, of the decision ((pursuant to)) as described under WAC 275-38-060((-); and

(v) The resident and the department ((with)) shall be allowed thirty days from the date ((that)) the resident is notified of relocation or discharge by the department in order to facilitate relocation.

(e) The resident has a right to request relocation and to select the ((HMR he or she)) ICF/MR the resident desires for placement. If this selection is available and appropriate to the habilitation and health care needs of the resident, the department shall make all reasonable attempts to accomplish relocation ((shall be made by the department)). If the relocation or ICF/MR selection is not appropriate or available, the resident may make another selection.

(i) The resident or the resident's guardian ((must)) shall request such a move in writing.

(ii) ((Arrangements for relocation will be the responsibility of the division of developmental disabilities)) The division of developmental disabilities shall be responsible for arranging the resident's relocation.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.



AMENDATORY SECTION (Amending Order 1853, filed 8/3/82)

WAC 275-38-060 ((IMR)) RESIDENT RIGHTS—RELOCATION REDETERMINATION OF ELIGIBILITY. (1) Except in the cases specified in WAC 275-38-060(3), the resident ((f)), and the resident's ((or)) guardian, next-of-kin, or responsible party of the resident ((if the resident has been adjudicated to be incompetent or under age eighteen must)) shall be informed in writing ((thirty)) twenty-eight days ((prior to)) before any relocation or ((reclassification)) redetermination of eligibility for ICF/MR services to ensure orderly transfer or discharge. Such resident's notice ((must)) shall include:

- (a) The grounds for the proposed ((change)) eligibility change and/or transfer;
- (b) A statement that the resident or any other individual designated by the resident has a right to a conference with a division of developmental disabilities representative within ((thirty)) twenty-eight days of receipt of the notice;
- (c) The right to request a fair hearing within ((thirty)) twenty-eight days of the notice to contest the department's decision;
- (d) The method by which a fair hearing may be obtained;
- (e) The right to be represented at the fair hearing by an authorized representative;
- (f) The existence and locations of ((any)) available legal services in the community ((that are available)).

(2) The department shall send a fair hearing request form ((shall be sent)) with the notice of relocation and/or ((reclassification)) redetermination of eligibility for ICF/MR services.

(a) If the resident requests a fair hearing within the ((thirty)) twenty-eight day time period, the department shall not ((change the level of care)) redetermine eligibility or transfer the resident pending fair hearing decision or appeal rights, unless such action is warranted by the health or safety needs of the resident.

(b) If the secretary or ((his or her)) the secretary's designee finds ((a change in the level of care)) the redetermination of eligibility is not appropriate, ((no)) further action shall not be taken to ((change the level of care)) redetermine eligibility or transfer the resident, unless there is a change in the situation or circumstances at which time the request may be resubmitted.

(c) If the secretary or ((his or her)) the secretary's designee affirms the determination to change the resident's ((level of care)) eligibility for services and/or transfer, and no judicial review is filed within ((thirty)) twenty-eight days of the receipt of notice of determination, the department shall proceed with the planned action.

(d) If the secretary or ((his or her)) secretary's designee affirms the determination to change the resident's ((level of care and/or)) eligibility for ICF/MR services or transfer and a request for judicial review has been filed, any proposed ((change)) redetermination of eligibility ((and/or)) or transfer shall be delayed pending the

outcome of the process, unless such action is warranted by the health or safety needs of the resident.

(3) Advance notice is not required:

(a) If the resident or the resident's guardian requests a transfer in writing and waives the right to a period notice((-)); or

(b) In the event of an immediate threat to the resident's life or health, or life or health of others.

(4) Advance notice and planning ((does)) shall not include a right to a fair hearing for a resident when the department judges the facility where the resident resides is ((no longer)) not able to provide Title XIX services due to:

- (a) Termination of the facility's contract((-));
- (b) Decertification of the facility((-));
- (c) Nonrenewal of the facility's contract((-);
- (d) Revocation of the facility's license((-); or
- (e) Emergency license suspension.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending Order 1853, filed 8/3/82)

WAC 275-38-065 TRANSFER OR DISCHARGE PLANNING. The division of developmental disabilities (DDD) shall prepare a suitable written discharge ((and/or)) or transfer plan ((must be prepared by the division of developmental disabilities)) for each resident to be transferred or discharged. ((Transfers shall be dependent on the best interests of the resident. The)) DDD's plan shall include the location of available settings ((at the appropriate level of care)) providing the appropriate services consistent with the needs of the resident. The plan shall include:

- (1) Coordination of communication between the staffs of the old and new facilities;
- (2) Pretransfer visit, when the resident's condition permits, to the new facility, familiarizing the resident with the new surroundings, and other residents;
- (3) Coordination of active participation by the resident's guardian or family in the transfer preparation;
- (4) Coordination with ((staff members)) staffs of the old and new facilities to discuss expectations and provide consultation on request; and
- (5) Posttransfer follow-up by the division of developmental disabilities to monitor the effects of the change.

AMENDATORY SECTION (Amending Order 1853, filed 8/3/82)

WAC 275-38-075 DISCHARGE ((OR LEAVE OF AN IMR RESIDENT)), READMISSION, AND INCIDENT REPORTING. (1) A certified ((IMR)) ICF/MR facility having an ((IMR)) ICF/MR contract with the department shall contact the regional services office, division of developmental disabilities giving immediate notification of unauthorized leave, disappearance, serious accident, or other traumatic incident affecting a resident or the resident's health or welfare.



(2) The department shall require discharge and readmission ~~((is required))~~ for ~~((all))~~ residents ~~((who are))~~ admitted as hospital inpatients.

#### NEW SECTION

WAC 275-38-090 SUPERINTENDENT'S LIMITED AUTHORITY TO HOLD. (1) When a superintendent, acting on behalf of the secretary, receives information that a resident intends to voluntarily discharge himself or herself from the programs and services of the residential habilitation center (RHC), the superintendent shall determine if such a departure would be harmful to the resident.

(2) If, in the superintendent's judgment, the resident's departure is harmful to the resident, the superintendent may hold the resident until the danger passes, not to exceed forty-eight hours. The superintendent may refer the resident to a mental health professional as described under RCW 71.05.150.

(3) When the superintendent detains an RHC resident as required under this section, the superintendent or the superintendent's designee shall give notification of such hold to the resident and the legal representative of the resident as provided under RCW 71A.10.070. If the legal representative is not available, the superintendent shall also notify one or more persons in the following order of priority:

(a) A parent of a person with a developmental disability eighteen years of age or older;

(b) Other kin of the person with a developmental disability with a preference to persons with closest kinship;

(c) The Washington protection and advocacy agency for the rights of a person with a developmental disability, appointed in compliance with 42 USC section 6042; or

(d) A person who is not an employee of the department nor a contractor under this title nor an employee of such contractor who, in the opinion of the superintendent is concerned with the person's welfare.

(4) This section shall not prohibit the superintendent of an RHC from notifying:

(a) A mental health professional;

(b) Local law enforcement;

(c) Adult protective services;

(d) Child protective services; or

(e) Other agencies as appropriate.

(5) At the end of the forty-eight-hour hold, the superintendent shall not continue to detain a resident.

(6) If the provisions of the section are invoked a second time within six months, the superintendent or superintendent's designee shall make a referral to a mental health professional within eight hours. In this situation, the resident may only be held until the mental health professional:

(a) Investigates and evaluates the specific facts surrounding the situation; and

(b) Determines the further detention of the resident in accord with RCW 71.05.150.

(7) This section shall not prohibit the superintendent of an RHC or designee from allowing a resident to leave the center for prescribed periods under such conditions

as may be appropriate for the resident's habilitation or care.

(8) When a resident has voluntarily left the programs and services of the RHC, under the provision of this section, except as provided in Subsection (7), the superintendent shall initiate discharge proceeding.

#### REPEALER

The following sections of the Washington Administrative Code are repealed:

275-38-007 IMR FACILITIES.

275-38-040 CLASSIFICATION OF IMR RESIDENTS.

#### Chapter 275-41 WAC WORK PROGRAMS FOR RESIDENTS OF RESIDENTIAL HABILITATION CENTERS IN THE DIVISION OF DEVELOPMENTAL DISABILITIES

#### NEW SECTION

WAC 275-41-005 PURPOSE. The regulations provide guidelines for the operation of work programs at residential habilitation centers or for programs contracted on behalf of residents of residential habilitation centers within the division of developmental disabilities as required under RCW 43.20A.445.

#### NEW SECTION

WAC 275-41-010 DEFINITION. (1) "Compensate" means the resident's receipt of money for work done at a work program.

(2) "Department" means the Washington state department of social and health services.

(3) "Division" means the developmental disabilities division of the department of social and health services.

(4) "Prevailing wage" means the amount paid to a nondisabled worker in a nearby industry or surrounding community for essentially the same type, quality, and quantity of work or work requiring comparable skills.

(5) "Residential habilitation center (RHC)" means a residential habilitation center operated by the developmental disabilities division.

(6) "Work program" means a directed vocational activity or series of related activities provided on a systematic, organized basis for developing and maintaining individual resident work skills, and providing remuneration to resident employees. Work programs must result in:

(a) Benefit to the economy of the facility; or

(b) A contribution to the facility's maintenance; or

(c) Produce articles or services for sale.

#### NEW SECTION

WAC 275-41-015 ESTABLISHMENT OF NEW WORK PROGRAMS. The requirements of RCW 43.20A.445 shall be followed before the department establishes new residential habilitation center work programs.

#### NEW SECTION

WAC 275-41-020 PROTECTION OF RESIDENTS. (1) When a resident participates in a work

program, the resident shall be employed in work and subjected to work conditions where reasonable precautions are taken to ensure the resident's health and safety.

(2) Resident work programs shall be consistent with the resident's individual habilitation plan objectives.

### NEW SECTION

#### WAC 275-41-025 COMPENSATION FOR PERSONS PARTICIPATING IN WORK PROGRAMS.

(1) The department shall compensate a person participating in a work program at the prevailing minimum wage except when an appropriate certificate has been obtained by the RHC or contract program in accordance with current regulations and guidelines issued under the Fair Labor Standards Act (29 CFR Ch. V, 525 and 529) as amended.

(2) The department shall not be required to compensate a person participating in the shared domiciliary activities of maintaining the person's own immediate household or residence.

### WSR 91-17-048

#### PROPOSED RULES

#### GAMBLING COMMISSION

[Filed August 20, 1991, 2:33 p.m.]

#### Original Notice.

Title of Rule: WAC 230-02-110 Gross gambling receipts defined; 230-02-512 Commercial amusement game operator defined; 230-04-135 Commercial amusement games—License required; 230-04-320 Change of location; 230-08-017 Control and use of identification and inspection stamps; 230-08-080 Daily records—Bingo; 230-12-300 Resident agent to be appointment by foreign manufacturers, distributors, and commercial amusement game operators; 230-20-102 Bingo prizes—Record of winners; 230-20-246 Manner of conducting bingo; 230-20-700 Coin activated amusement games—Standards; 230-30-070 Control of prizes; 230-30-102 Pull tab series assembly and packaging; 230-30-103 Standards for construction of pull tabs; and 230-40-125 Washington blackjack—Rules of play—Wagering limits.

Purpose: To implement rules consistent with the recent change to RCW 9.46.0331; and to implement rules used during test programs which proved successful.

Statutory Authority for Adoption: Chapter 9.46 RCW.

Statute Being Implemented: Chapter 9.46 RCW.

Summary: The rules clarify existing regulations and implement rules consistent with recent change to chapter 9.46 RCW.

Reasons Supporting Proposal: Licensees involved in the test programs were supportive of the changes.

Name of Agency Personnel Responsible for Drafting: Frank Miller, Lacey, (206) 438-7685; Implementation: Ronald O. Bailey, Lacey, (206) 438-7640; and Enforcement: Neal Nunamaker, Lacey, (206) 438-7690.

Name of Proponent: Washington State Gambling Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Implements, clarifies and expands a number of rules related to amusement games in compliance with a legislative change permitting these activities in additional locations; implements, clarifies and expands a number of rules related to test programs conducted for pull tabs, punchboards, cardrooms and bingo activities; and house-keeping changes incorporated in response to code reviser notes.

Proposal Changes the Following Existing Rules: All proposed changes expand or clarify the scope of existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

The agency has considered whether these rule changes would create an adverse economic impact on small businesses as defined by chapter 19.85 RCW. It has determined that there is no economic impact to small business as a result of these proposals.

Hearing Location: Red Lion Inn, Number 1100 Sullivan Road, Spokane, WA 99220, on October 11, 1991, at 10:00 a.m.

Submit Written Comments to: Washington State Gambling Commission, 4511 Woodview Drive S.E., Lacey, WA 98504-2400, by October 9, 1991.

Date of Intended Adoption: October 11, 1991.

August 20, 1991

Sharon M. Tolton  
Rules Coordinator

#### AMENDATORY SECTION (Amending Order 161, filed 9/15/86, effective 1/1/87)

WAC 230-02-110 GROSS GAMBLING RECEIPTS DEFINED. "Gross gambling receipts" means the monetary value that would be due to any operator of a gambling activity for any chance taken, for any table fees for card playing, ((or)) other fees for participation, or rent and lease fees for amusement games received by commercial amusement game operators, as evidenced by required records. The value shall be stated in U.S. currency, before any deductions for prizes or any other expenses. In the absence of records, gross gambling receipts shall be the maximum that would be due to an operator from that particular activity if operated at maximum capacity.

#### NEW SECTION

WAC 230-02-512 COMMERCIAL AMUSEMENT GAME OPERATOR DEFINED. A commercial amusement game operator is any person or organization, other than a charitable or nonprofit organization, that receives revenue from the operation, rental, or lease, or otherwise shares in the proceeds of approved amusement games.

#### NEW SECTION

WAC 230-04-135 COMMERCIAL AMUSEMENT GAMES—LICENSE REQUIRED. (1) Prior to operating, renting, leasing, or otherwise sharing in the proceeds of amusement games at any location, commercial amusement game operators shall first obtain a license from the commission.

(a) Class A commercial amusement game licensees may operate amusement games at a single permanent location or allow a class B and above licensee to operate amusement games at their business premises.

(b) Class B and above commercial amusement game licensees may locate and operate amusement game at any location authorized by WAC 230-04-138 or rent, lease, or sell amusement devices or amusement game equipment on a time basis to any licensed amusement game operator.

(2) In addition to the requirements for certification as set out in WAC 230-04-020 and all other sections of this title, applicants must provide the following additional information for each operating location:

(a) All locations:

(i) A list of all locations and time and dates at which the activity will be operated;

(ii) When operated at a location not owned, rented, or leased by the applicant, written permission from the person, organization, county, city or town, or an authorized agent thereof, to locate and operate amusement games at that location;

(iii) A personal information form for all "adult supervisors," as required by WAC 230-20-680(2); and

(iv) A copy of any rental/lease agreement which allows operation of commercial amusement games at any location not owned or otherwise controlled by a licensee. The document must disclose full details of the rental/lease agreement, including any revenue sharing provisions, all costs to be shared, and any restrictions regarding the number of amusement games to be operated.

(v) Copies of any contract related to rental, lease, or purchase agreement of amusement game equipment.

(b) Permanent locations. In addition to the information required by subsection (2)(a) above, all applicants requesting to operate amusement games at locations authorized by WAC 230-04-138 (1)(f), (g), (h), (i), or (j) must provide details necessary to determine qualification of the location for operation of the activity and include the following minimum details:

(i) Amusement parks, as authorized by WAC 230-04-138 (1)(f): The number of mechanical or aquatic rides, theatrical productions, motion pictures, and slide show presentations available for the public;

(ii) Regional shopping center, as authorized by WAC 230-04-138 (1)(g): The size of the shopping center, in gross square feet not including parking areas.

(iii) Taverns and restaurant with cocktail lounges, as authorized by WAC 230-04-138 (1)(h): Washington State Liquor Control Board license number and expiration date, and a statement of whether minors are prohibited from all portions of the premises;

(iv) Movie theaters, bowling alleys, miniature golf course facilities, skating facilities, and amusement centers, as authorized by WAC 230-04-138 (1)(i): A complete description of the business activities conducted; and if an amusement center, the number of amusement devices and income derived from such devices and all other business activities conducted by the licensee during the last 12 months; and

(v) Family entertainment restaurants, as authorized by WAC 230-04-138 (1)(j): The number of amusement devices, theatrical productions, mechanical rides, motion pictures, and slide show presentation available for customers on a daily basis; and the amount of gross income generated from the entire business and that portion of gross income generated from food service for on-premises consumption(;;).

(c) Limited duration locations. In addition to the information required by subsection (2)(a) above, all applicants requesting to operate commercial amusement games must receive written permission from applicants requesting to operate commercial amusement games must receive written permission from the sponsor of any activity authorized by WAC 230-04-138 sub-section (1)(a), (d), or (e) and submit an itinerary that includes planned operating dates for all locations at which the applicant plans operations during the year. This itinerary must be updated any time the dates of operation change.

**Reviser's note:** The unnecessary doubling in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

**Reviser's note:** The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

#### AMENDATORY SECTION (Amending Order 140, filed 6/15/84)

WAC 230-04-320 CHANGE OF LOCATION. No change of location of licensed premises shall be made without the written consent of the commission. The fee for such change will be as required by WAC 230-04-201: PROVIDED, That persons operating amusement games under a ((special)) commercial amusement game license issued pursuant to WAC ((~~230-04-190(2)~~)) 230-04-135 (2)(c) shall pay no fee for adding to or deleting from the list of locations for which that license was issued.

#### AMENDATORY SECTION (Amending Order 201, filed 11/27/89, effective 12/28/89)

WAC 230-08-017 CONTROL AND USE OF IDENTIFICATION AND INSPECTION SERVICES STAMPS. No punchboard, series of pull tabs, mechanical or electronic device for dispensing pull tabs ((~~or electronic crane game~~)) shall be sold or purchased for use within this state until an identification and inspection services stamp obtained from the commission has been permanently and conspicuously affixed thereto. Once attached, such stamp shall not be removed, disfigured, or otherwise tampered with by any person. These stamps shall be attached and controlled in the following manner:

(1) Identification and inspection services stamps shall be sold only to licensed manufacturers. The fee charged for each stamp shall be twenty-five cents. After September 1, 1988, all punchboards and pull tabs series manufactured, if for sale in Washington state must have identification and inspection stamps plus records entry labels attached. Manufacturers who have identification and inspection services stamps on hand after September 1, 1988, which do not have records entry labels attached, will be afforded the opportunity to exchange these stamps, one for one and without cost by submitting them to the commission's Lacey headquarters office prior to October 1, 1988. After October 1, 1988, any stamps returned will be exchanged only after payment of a ten cent service charge, for each stamp as set out in WAC 230-30-018;

(2) Identification stamps shall only be affixed to punchboards, pull tab series flares(;;) and mechanical or electronic devices for dispensing pull tabs ((~~and electronic crane games~~)) in such a manner as to assure reasonable inspection without obstruction. If punchboards or pull tabs series flares are packaged with protective materials, after stamps are affixed, then the stamps shall be readily visible for inspection without removal of any portion of the protective packaging: Provided that when more than one device is packed in a shipping carton, this requirement shall not apply if the identification and service stamp numbers of all devices contained in the carton are printed or otherwise noted on the outside of the carton. Stamps and records entry labels shall be affixed only by licensed manufacturers in the following manner:

(a) On the reverse side of all punchboards in an area that will not obstruct removal of punches: Provided, that if sufficient space is not available on the reverse side, the records entry labels may be wrapped around and/or partially attached to the edge of a punchboard in a manner that will not obstruct display of prizes available or other information required by rules of the commission;

(b) On the face or reverse side of the flare for all pull tab series. If placed on the face, then they must be in an area that will not obstruct prizes available or any other information required by rules of the commission; and

(c) On the outside of the main body of pull tab dispensing devices, in an area that is not normally removed and replaced, and in a manner that will not obstruct the view of the pull tabs available for play. The records entry labels shall not be affixed to dispensing devices and may be discarded.

((~~(d) On electronic crane games inside the prize area of the device in a location as approved by the commission staff;~~))

(3) Identification and inspection services stamps shall not be attached to punchboards, pull tab series flares(;;) or pull tab dispensing devices((~~or electronic crane games~~)) that do not comply with rules of the commission. Stamps shall not be affixed to any device prior to approval of the device by the commission.

**Reviser's note:** RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

#### AMENDATORY SECTION (Amending Order 157, filed 4/11/86)

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: 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 for each session ((~~and be retained for a period of not less than three years~~)):

(1) The gross gambling 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 gambling receipts are to be supported by proper receiving records as required by WAC ~~((230-20-100))~~ 230-20-101.

~~((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. **PROVIDED**, That a licensee may accrue special game prizes without issuing a prize receipt prior to awarding the actual prize if the following conditions are met:

(a) Prize receipts will be issued only when the prize is actually awarded;

(b) Full details of accrued prizes outstanding at the end of each calendar quarter, will be furnished on the licensee's activity report;

(c) Once an election is made to accrue prizes for a particular game, all increases to that prize must be accrued;

(d) Prizes must be accrued after the completion of each session in which they are increased;

(e) A reconciliation of the prize fund shall be made on each "Daily summary - Cash control" record;

(f) The amount of prize accrued shall be deposited in the gambling receipts account per WAC 230-12-020 (1)(a) and (d);

(g) The balance of the gambling receipts banking account shall not be reduced at any time below the amount of prizes accrued and currently being offered. **PROVIDED**, That accrued prizes may be transferred to a special bank account, for this purpose, if the balance is maintained at a level equal to or greater than the amount of prizes accrued and currently being offered; and

(h) In the event management elects to discontinue games for which prizes have been accrued, the operator shall amend all activity reports and tax returns previously submitted to reflect the actual prizes awarded.))

(2) The amount paid out or accrued for prizes awarded for each bingo game. Each session record shall contain the following minimum information regarding prizes awarded:

(a) The game number;

(b) The dollar amount or the actual cost of each prize;

(c) A complete description of all non-cash prizes;

(d) The consecutive number of the prize receipt issued for each prize;

(e) The duplicate copy of the prize receipt issued for all prizes awarded during the session;

(f) The check number of all checks used to pay winners of bingo games: **PROVIDED**, That if the payment must be made by check under the guidelines of WAC 230-20-102 (1)(c), the duplicate copy must be maintained as a part of the session records; and

(g) Full details of prizes accrued.

(3) A statement of the daily net gambling 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, along with a reconciliation of cash to the daily net gambling receipts for each session. Steps taken to reconcile ((~~⊖~~))overages and/or shortages that ((~~exceeding~~)) exceed \$10.00 ((~~are to be explained~~)) for any session must be documented.

(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 responsible for the session:~~))

(6) All bingo numbers or symbols selected and called during each game that offers a prize that exceeds \$200. The numbers or symbols shall be recorded in the sequence selected. A computer generated "Call sheet" may be used in lieu of a manual record if a print-out of results is made: **PROVIDED**, That the director may approve use of a video recording of the game in lieu of maintaining a "call sheet" if:

(a) Each session is recorded on a separate tape and tapes are labeled to allow identity of a specific session;

(b) The quality of the recording allows an observer to note all details of numbers or symbols selected;

(c) The recording includes the audio portion of the game generated by the caller;

(d) The video recorder has a tape position indicator function and the approximate tape position is recorded for each game for which a prize of greater than \$200 is awarded;

(e) The time and date of the game are an integral part of the recording and displayed in conjunction with the events being recorded;

(f) The number of the game is recorded at the start of each game; and

(g) Tapes are maintained for at least six months.

(7) The winning card number(s) for each individual prize awarded.

(8) A copy of the schedule of the games to be played and prizes available for the session: **PROVIDED**, That if the record is annotated with the effective dates of each game schedule, it may be maintained separately and updated only when a change occurs. Any changes to the advertised and printed game and prize schedule, that occur during a session, must be noted in the session records and verified by the signature of the bingo manager supervising the session and another bingo worker on duty during the session.

(9) All session records must be reviewed for accuracy and signed immediately following completion by the bingo manager responsible for supervising the session.

(10) All records required by this section shall be:

(a) Recorded in a standard format prescribed by the commission;

(b) Recorded during the course of each session; and

(c) Retained for a period of not less than three years.

#### AMENDATORY SECTION (Amending Order 60, filed 9/10/76)

#### WAC 230-12-300 RESIDENT AGENT TO BE APPOINTED BY FOREIGN MANUFACTURERS, ((AND)) DISTRIBUTORS, AND COMMERCIAL AMUSEMENT GAME OPERATORS.

~~((Each manufacturer and each distributor selling or distributing punchboards, pull tabs, or pull tab dispensing devices in this state, or for use within this state, that is not a Washington resident or Washington corporation shall designate a natural person who is a resident and living in the state of Washington and who is eighteen years of age or older as a resident agent for the purpose of receipt and acceptance of service of process and other communications on behalf of the manufacturer or distributor:))~~

(1) All manufacturers, distributors or class B or above commercial amusement game operators engaged in the following activities within this state, or for use in this state, that do not own or otherwise maintain a business office or licensed premises within this state shall appoint a resident agent for the purpose of receipt and acceptance of service of process and other communications on their behalf from the commission:

(a) Manufacturing, selling or distributing gambling supplies or equipment; and

(b) Renting or leasing of commercial amusement games and equipment.

(2) The resident agent shall be a natural person who is a resident and living in the state of Washington and who is eighteen years of age or older.

(3) The name and business address where service of process and delivery of mail can be made, and home address of such designated resident agent shall be filed with the commission and with any other state agency required by law.

#### AMENDATORY SECTION (Amending Order 218, filed 11/26/90, effective 12/27/90)

WAC 230-20-102 BINGO PRIZES—RECORD OF WINNERS. All payments of prizes for bingo games shall be accounted for ((~~by use of a written receipt~~)) and documented in a manner that affords independent verification of the amount paid and the fact of distribution to winners. **PROVIDED**, That Class A and B bingo licensees, organizations conducting bingo under the provisions of RCW 9.46-.0321, and bingo activities conducted at a qualified agricultural fair are exempt from all portions of this rule if the requirements of WAC 230-08-015 are followed. Payment of all prizes shall be documented using the following procedures:

((~~1~~)) Each winner shall be required to provide proof that they have purchased the winning bingo card. The licensee shall review the prize winner's income receipt and determine that the player has properly purchased all cards played during the games, including the winning card;

(2) Each prize winner shall be positively identified. The licensee shall require such proof of identification as is necessary to establish the

prize winner's identity prior to paying any prize. The winner is responsible for furnishing proof to the licensee that all information required by this rule is true and accurate. Prizes may be withheld until the winner has provided adequate identification.

(3) Receipts used to record prizes awarded at bingo games shall be printed by a commercial printer and meet the following standards:

(a) Receipts must be manufactured of two-part, self-duplicating paper that provides for an original and a duplicate copy;

(b) Receipts shall be imprinted with the name of the licensee and a consecutive ascending number that does not repeat in at least 100,000 occurrences: PROVIDED, That Class E and smaller licensees may utilize receipts that are not imprinted with the licensee's name and which the consecutive number does not repeat in at least 1,000 occurrences;

(c) Each receipt shall provide space for the licensee to record the following information:

(i) The date;

(ii) The game number;

(iii) The true name and address of the winner of the prize;

(iv) A description of the prize won and the licensee's cost of such prize; and

(v) The initials of the bingo worker verifying the winning card;)

(1) A prize receipt shall be completed for each prize awarded at bingo games. The following minimum information shall be recorded for each prize awarded:

(a) The date;

(b) The game number;

(c) The complete name and address of the winner: PROVIDED, That an address is not required if the following control procedures are followed:

(i) Prizes greater than \$300 are paid by check or a combination of cash or check;

(ii) Checks must be drawn on the licensee's gambling bank account;

(iii) Checks will be made payable only to the winner: PROVIDED, That checks for prizes won by players under age 18 may be made payable to the guardian or immediate family member accompanying the player;

(iv) The game number and prize receipt number shall be notated on the check;

(v) Checks used must be of a type that provides a duplicate copy. The copies become a part of the daily bingo records and must be maintained as such;

(vi) All original checks must be returned by the bank to the licensee. Original checks shall be available for inspection upon demand by the commission; and

(vii) Checks drawn on the licensee's gambling account shall not be cashed or otherwise redeemed by the licensee or on the licensee's premises;

(d) The dollar amount of the prize or the licensee's cost of noncash prizes;

(e) A full description of all noncash prizes;

(f) The check number, if any portion of the prize is paid by check; and

(g) The initials of the bingo worker making the payout and the cashier making the payment.

(2) Prize receipts shall be printed by a commercial printer and meet the following standards:

(a) (~~Receipts must be m~~) Manufactured of two-part, self-duplicating paper that provides for an original and a duplicate copy;

(b) (~~Receipts shall be i~~) Imprinted with the name of the licensee and a consecutive ascending number that does not repeat in at least 100,000 occurrences: PROVIDED, That Class E and smaller licensees may utilize receipts that are not imprinted with the licensee's name and which the consecutive number that does not repeat in at least 1,000 occurrences; and

(c) (~~Each receipt shall p~~) Provide space for the licensee to record the (~~following~~) information(~~s~~) required by subsection (1) above.

(i) The date;

(ii) The game number;

(iii) The true name and address of the winner of the prize; and

(iv) A description of the prize won and the licensee's cost of such prize; and

(v) The initials of the bingo worker verifying the winning card;)

(~~4~~) (3) Prize receipts shall be consecutively issued in an ascending order. Prize receipts bearing a number below the highest number issued during a session shall be voided and retained with the daily records.

(~~5~~) (4) 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.

(~~6~~) (5) All prize receipts purchased or otherwise obtained must be accounted for by the licensee. Prize receipts purchased or otherwise obtained by the licensee (~~after June 30, 1991~~) shall be documented on a vendor's invoice. This invoice, or a photo-copy thereof, shall be maintained on the premises and available for inspection by commission staff. The following information shall be documented on the purchase invoice:

(a) Name of the vendor;

(b) Name of the purchasing organization;

(c) Date of purchase;

(d) Number of receipts purchased; and

(e) The beginning and ending receipt number.

(6) Increases to the prize pool for progressive prize type games may be accrued and treated as prizes awarded during the current session if the following conditions are met:

(a) Prize receipts will be issued only when the prize is actually awarded;

(b) Full details of accrued prizes outstanding at the end of each calendar quarter, will be furnished on the licensee's activity report;

(c) Once an election is made to accrue prizes for a particular game, all increases to that prize must be accrued;

(d) Prizes must be accrued after the completion of each session in which they are increased;

(e) A reconciliation of the prize fund shall be made on each "Daily summary - Cash control" record;

(f) The amount of prize accrued shall be deposited in the gambling receipts account per WAC 230-12-020;

(g) The balance of the gambling receipts banking account shall not be reduced at any time below the amount of prizes accrued and currently being offered: PROVIDED, That accrued prizes may be transferred to a special bank account, for this purpose, if the balance is maintained at a level equal to or greater than the amount of prizes accrued and currently being offered; and

(h) In the event management elects to discontinue games for which prizes have been accrued, the operator shall amend all activity reports and tax returns previously submitted to reflect the actual prizes awarded.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending Order 218, filed 11/26/90, effective 12/27/90)

WAC 230-20-246 MANNER OF CONDUCTING BINGO. The conducting of a bingo game shall include, but is not limited to, the following rules:

(1) All sales of bingo cards shall take place upon the premises during or immediately preceding the session for which the card is being sold;

(2) Bingo cards shall normally be sold and paid for prior to the start of a specified game or specified number of games. Cards may be sold after the start of a game, or number of games, if the late sale does not allow any player an advantage over any other player;

(3) No operator shall reserve, or allow to be reserved, any bingo card for use by players except braille cards or other cards for use by legally blind or disabled players;

(4) Legally blind players may use their personal braille cards when a licensee does not provide such cards. The licensee shall have the right to inspect, and to reject, any personal braille card. A legally blind or disabled person may use a braille card or reserved hard card in place of a purchased throwaway;

(5) If a licensee has duplicate cards in play, he shall conspicuously post that fact or notify all players;

(6) No two or more sets of disposable cards can be used at the same time if they have identical series numbers;

(7) All cards sold to participate for a specific prize or set of prizes shall be sold for the same price and be distinct and readily distinguished from all other cards in play: PROVIDED, That similar cards used to participate for the same prize or set of prizes may be sold at a discount which is based solely on volume if each separate discount price is recorded using a separate sales identification code and records provide for an audit trail;

(8) Immediately following the drawing of each ball in a bingo game, the caller shall display the symbol and/or number on the ball to the participants;

(9) The symbol and/or number on the ball shall be called out prior to the drawing of any other ball;

(10) After the symbol and/or number is called, the corresponding symbol and/or number on the licensee's flashboard, if any, shall be lit for participant viewing;

(11) A game ends when a specific pattern has been achieved by a player or a specific number of symbols and/or numbers has been called. Each game shall be played using a separate selection process: PROVIDED, That the same or a continuing selection process may be used to play the following games:

(a) Interim or "on-the-way" games; and

(b) Games for which cards are sold for different prices and players win a different prize depending on the price they pay to play.

(12) No bingo game shall be conducted to include a prize determined other than by the matching of symbols and/or numbers on a bingo card with symbols and/or numbers called by the licensee, in competition among all players in a bingo game. PROVIDED, That the following activities are considered bingo games when conducted during a bingo occasion and prizes are determined through equal competition among all players paying to participate in that session:

(a) Drawing. Each licensee shall be allowed to award prizes during each bingo session that is determined by a drawing if:

(i) Tickets or other facsimiles used to enter such drawings shall only be awarded to players purchasing cards to play in bingo games;

(ii) A record shall be completed setting out the criterion for granting tickets, the number of tickets awarded during each session, the winning ticket, and all details required by WAC 230-08-080 and ((230-20-100)) 230-20-102. Such record shall be maintained as a part of the daily bingo records;

(iii) Prizes awarded for drawings are limited to maximum of ((\$500)) \$1,000 during any calendar month;

(iv) All prizes awarded are considered bingo game prizes for purposes of prize payout and net

~~(ii) Checks used must be of a type that provides a duplicate copy. The copies become a part of the daily bingo records and must be maintained as such;~~

~~(iii) All original checks must be returned by the bank to the licensee. Original checks shall be available for inspection upon demand by the commission;~~

~~(iv) Checks will be made payable only to the winner;~~

~~(v) The winning card number, the game number and, if the licensee conducts more than one session a day, the session shall be notated on the check. PROVIDED, That these items may be omitted from the check if a prize record, as prescribed in subsection (viii) below is completed;~~

~~(vi) Checks drawn on the licensee's gambling account shall not be cashed or otherwise redeemed by the licensee or concession on the premise;~~

~~(vii) Prize winners of two hundred dollars or less may be paid in cash. PROVIDED, That prizes greater than \$200 may be paid by combination of a check and cash of \$200 or less. If the payment is split, the licensee must prepare a prize record and document all details of the payment, including the check number;~~

~~(viii) A prize record will be completed for all prizes paid by cash. The prize record shall be a two-part receipt made of self-duplicating paper that provides an original and a duplicate copy. The original shall be given to the customer and the duplicate copy maintained as a part of the daily bingo records. The licensee will record the following on the prize record: The winner's name, the game number, the date, the session, if more than one session is conducted in a day, the number of the winning card, the amount won for each specific game, and the check number, if the prize was paid by a combination of cash and check. This record shall be initialed by the bingo worker who verifies the winning card and the cashier making the payment;~~

~~(ix) A call sheet shall be maintained documenting all numbers called during a game and the sequence they are called. PROVIDED, That a video recording of the game may be used in lieu of maintaining a call sheet and documenting the winning card number required by subsections (v) and (viii) above if: Each session is recorded on a separate tape or the breaks between sessions are identified by a count function that allows location of a specific session without viewing the entire tape; the quality of the recording must allow for an observer to note all details of numbers selected, winning card numbers, and the~~

~~numbers marked by a player; the time and date of the game are an integral part of the recording and displayed in conjunction with the events being recorded; the number of the game is recorded at the start of each game; and tapes are maintained for at least six months;~~

~~(x) When disposable cards (throwaways) are used to conduct games, all winning cards or sheets of cards for prizes of over \$100 must be retained as a part of the daily bingo records. PROVIDED, That this requirement applies only to final prizes and does not apply to interim or "on the way" games. The bingo worker who verifies the winning combination and the cashier who makes payment of the prize shall initial the card;~~

~~(xi) When merchandise prizes valued less than \$1,200.00 are awarded, a description of the prize together with the name of the winner will be included with the bingo daily record; and~~

~~(xii) A copy of the game and prizes available schedule shall be included as a part of the bingo daily record.))~~

~~((b) All prizes shall be awarded by the end of the related session.~~

~~(c) All merchandise offered as prizes to bingo players shall have been paid in full, without lien or interest of others, prior to the merchandise being offered as a prize. PROVIDED, That the licensee may enter into a contract to immediately purchase the merchandise when it is awarded as a prize, with the contract revocable if prize winners are allowed to exercise an option to receive a cash prize or the prize is no longer offered.))~~

~~(d) All prizes for a particular game must be available prior to starting the game and shall be awarded by the end of the related session;~~

~~(e) All merchandise offered as prizes to bingo players shall have been paid in full, without lien or interest of others, prior to the merchandise being offered as a prize. PROVIDED, That the licensee may enter into a contract to immediately purchase the merchandise when it is awarded as a prize, with the contract revocable if prize winners are allowed to exercise an option to receive a cash prize or the prize is no longer offered.~~

(17) Licensees may award promotional gifts to bingo players on up to six occasions annually if:

(a) Only merchandise with a cost to the licensee of no more than two dollars per gift, are awarded;

(b) A record shall be completed for each session setting out the criterion for selecting the recipients, the number of gifts and total cost of the gifts. Such records shall be maintained as a part of the daily bingo records; and

(c) All gifts purchased are considered bingo game prizes for purposes of prize payout and net income regulation;

(18) No operator shall engage in any act, practice((f)), or course of operation as would operate as a fraud to affect the outcome of any bingo game.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

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

#### NEW SECTION

WAC 230-20-700 COIN ACTIVATED AMUSEMENT GAMES—STANDARDS. All coin activated amusement games must have nonresettable coin-in meters, the removal or disconnection of which stops the play of the machine. The meter must be certified as accurate to within plus or minus 1 coin in 1,000 plays.

AMENDATORY SECTION (Amending Order 218, filed 11/26/90, effective 12/27/90)

WAC 230-30-070 CONTROL OF PRIZES. All prizes from the operation of punchboards and pull tabs shall be awarded in cash or in merchandise.

(1) Prizes shall be cash or merchandise only. Prizes may not involve the opportunity of taking an additional chance or chances on another punchboard or of obtaining another pull tab or pull tabs. Where the prize involves the opportunity to punch again on the same punchboard, a prize must be awarded for each such punch which is not less than the highest amount of money, or worth not less than the most valuable merchandise prize, which might otherwise have been won by the punch for which the opportunity to take the second punch was awarded. Each such board must clearly indicate on its face the terms and conditions



under which the opportunity to obtain the second, or step-up punch, may be obtained and the prizes which may be won by the step-up punch.

(2) Display of prizes:

(a) All prizes shall be displayed in the immediate vicinity of the punchboard or pull tab device and such prizes shall be in full view of any person prior to that person purchasing the opportunity to play.

(b) When the prize is cash it shall be displayed as follows:

(i) If the punchboard or pull tab series contains the opportunity to win both cash and merchandise prizes, the money itself shall not be displayed, but a coupon designating the cash available to be won shall be substituted; and

(ii) If the only prizes which may be won are cash prizes, they shall be clearly and fully described or represented by a coupon displayed upon the prize flare attached to the face or displayed in the immediate vicinity of the pull tab dispensing device.

(c) The licensee shall display prizes so arranged that a customer can easily determine which prizes are available from any particular punchboard or pull tab series or device operated or located upon the premises.

(d) Upon determination of a winner of a merchandise prize, the licensee shall immediately remove that prize from any display and present it to the winner.

(e) Upon determination of a winner of any cash prize of five dollars or more, or of any merchandise prize with a retail value of five dollars or more, but prior to award of the prize, the licensee shall conspicuously delete all references to that prize being available to players from any flare, punchboard or pull tab dispensing device upon which such reference may appear, and from any other list, sign, or notice which may be posted, in such a manner that all future customers will know the prize is no longer available. The prize shall then be paid or delivered to the winner forthwith.

(3) Payment of prizes. The licensee must pay or award to the customer or player playing the punchboard or pull tab series all such prizes that have not been deleted from the flare of the punchboard or pull tab series when the punchboard or pull tab series is completely played out.

(4) Cash in lieu of merchandise prizes.

No licensee shall offer to pay cash in lieu of merchandise prizes which may be won.

(5) Record of winners:

(a) When any person wins a cash prize of over twenty dollars or wins a merchandise prize with a retail value of more than twenty dollars from the play of any punchboard or pull tab series, the licensee or licensee's representative shall make a record of the win. ~~((The record of the win shall be made in a standard format prescribed by the commission and shall disclose at minimum the following information:))~~ The record of the win shall be made in the following manner:

~~((i) The Washington state identification stamp number of the punchboard or pull tab series from which the prize was won;~~

~~((ii) The series number of the pull tab series or punchboard from which the prize was won;~~

~~((iii) The name of the punchboard or pull tab series;~~

~~((iv) The date the pull tab series or punchboard was placed out for play;~~

~~((v) The date the pull tab series or punchboard was removed from play;~~

~~((vi) The month, day and year of the win;~~

~~((vii) If the prize is cash, the amount of the prize won;~~

~~((viii) If the prize is merchandise, a description of the prize won and its retail value;~~

~~((ix) The printed full name of the winner;~~

~~((x) The current address of the winner which will include the street address, the city and the state;~~

~~((xi) It shall be the responsibility of the licensee to determine the identity of the winner and the licensee shall require such proof of identification as is necessary to properly establish the winner's identity. The licensee shall require the winner to sign his name in ink on the winning pull tab being presented for payment. The licensee shall not pay out any prize unless and until the winner has fully and accurately furnished to the licensee all information required by this rule to be maintained in the licensee record of the win.~~

(b) From October 1, 1989, until December 31, 1991, the commission shall conduct a test of an alternative method of maintaining a record of winners. This test shall not include more than 100 licensees, all of

which receive written permission from the director. Charitable or non-profit licensees participating in this test shall be prohibited from intermingling of funds allowed by WAC 230-08-010(6) and must deposit funds separately and intact as set out in WAC 230-12-020. All participants shall adhere to alternative requirements for retention of winning tabs or punches required by subsection (6) of this rule and WAC 230-30-072. In addition, effective October 1, 1990, all participants shall use only pull tabs that utilize a secondary verification code to prohibit counterfeiting on tabs that award prizes greater than \$20.00. Such codes shall be approved by the director prior to use within this state. Punchboards are exempt from the secondary verification code requirements. During the period of the test when a person wins a cash prize of over twenty dollars or a merchandise prize with a retail value of more than twenty dollars, the following alternative winners record procedures shall apply:)

(i) The winners shall be required to print their name and date of birth, in ink, upon the side of the winning punch or tab opposite the winning symbol(s);

(ii) The licensee or their representative shall then verify the winner's identity and record the date and initial the winning punch or tab.

((iii) If the pull tab or punch is constructed or printed in such a manner as to preclude recording the information required in (i) and (ii) above in a legible manner, the licensee may record the required information on a sheet of paper not less than three inches by five inches and staple the winning tab or punch thereto.

(6) Retention of records. Every licensee shall keep the record of all prizes awarded in excess of twenty dollars, containing all of the information required in subsection (5) above, and all winning pull tabs or punchboard punches for a period of at least four months following the last day of the month in which it was removed from play and shall display the same to any representative of the commission or law enforcement officials upon demand.

(7) Defacing winning punches or tabs. The licensee shall, within twenty-four hours after a winning pull tab or punch of five dollars or more has been presented for payment, mark or perforate the winning symbols in such a manner that the pull tab or punch cannot be presented again for payment.

(8) Value of merchandise prizes. For purposes of this rule, the retail value of a merchandise prize shall be the amount actually paid therefor by the licensed operator plus 50 percent of that actual cost.

(9) Spindle, banded, or "jar" type pull tabs played in a manner which awards merchandise prizes only. Pull tab series which award only merchandise prizes valued at no more than five dollars, are hereby permitted to employ schemes whereby certain predesignated pull tabs are free or the player is otherwise reimbursed the actual cost of said pull tabs. Flares for spindle-type pull tabs operated in this manner shall designate the total number of pull tabs in the series and the total number of pull tabs designated as free or reimbursable. Free or reimbursable pull tabs in these types of pull tab series shall not constitute a prize or prizes nor shall monies collected and later reimbursed constitute revenue for the purposes of determining gross receipts.

AMENDATORY SECTION (Amending Order 218, filed 11/26/90, effective 12/27/90)

WAC 230-30-102 PULL TAB SERIES ASSEMBLY AND PACKAGING. (1) Manufacturers of pull tabs shall manufacture, assemble, and package each pull tab series in one container and in such a manner that none of the winning pull tabs, nor the location or approximate location of any of the winning pull tabs can be determined, in advance of opening the pull tabs in any manner or by any device, including but not limited to any pattern in manufacture, assembly, packaging, markings, or by the use of a light.

(2) ~~((Effective April 1, 1991, w))~~ Winning pull tabs shall be distributed and mixed among all other pull tabs in a series so as to eliminate any pattern as between series, or portions of series, from which the location or approximate location of any of the winning tabs may be determined. The pull tab series must be assembled so that no placement of winners or losers exist that allows the possibility of prize manipulation or "pick out." ~~((Effective April 1, 1991, m))~~ Manufacturers shall not manufacture or offer for sale in Washington any pull tab series in which the winning pull tabs are not distributed and mixed among all other pull tabs in that series. ~~((The director may authorize manufacturers up to sixty additional days to sell existing inventory when justified. Manufacturers shall assemble pull tabs series so that general locations, such as the ends of rows, center of rows or complete rows are not void of winning pull tabs. For the purpose of this rule, it shall be prima facie evidence that a pattern exists between series or portions of~~

series as to the winning pull tabs if tests of ten or more pull tabs series by this agency reveal any of the following:

(a) One high tier winner located in the same general location in at least seventy percent of the series examined;

(b) Two high tier winners located in the same general location in at least fifty percent of the series examined;

(c) Three or more high tier winners located in the same general location in at least thirty percent of the series examined, or equal numbers of high tier winners in each row of a series in at least thirty percent of the series examined;

(d) No winning pull tab in a specific row in at least seventy percent of the series examined;

(e) No winning pull tab in a general location at the end of each row in at least seventy percent of the series examined;

(f) No winning pull tab in a section of a row containing 150 pull tabs in one hundred percent of the series examined.

High tier winning pull tabs shall be \$25.00 or more and general location shall mean a range of 50 pull tabs or less.

If there are not winning pull tabs of \$25.00 or higher in the series, then the two highest tier winning pull tabs in that series must comply with paragraphs (a) through (f):

(3) Pull tabs packaged in bags rather than boxes shall be subject to the above requirements. In order to test for compliance bagged pull tabs will be divided into horizontal or vertical rows and then measured against the above criteria:))

(3) Manufacturers will mix pull tabs prior to placing them in their final packing container. The mix shall insure that pull tabs are separated from the original collated row position and dispersed amongst all rows in the final packing container.

(4) Each series of pull tabs shall contain a packing slip placed inside the package containing the name of manufacturer, series number, date the series was packaged, and the name or identification of the person who packaged the series: PROVIDED, That this information may be printed on the back of the flare or the outside of the package, box or container in which the pull tabs are packed.

(5) ~~((Effective October 1, 1990, m))~~ Manufacturers of pull tabs shall print on the outside of the die cut box, package or other container of pull tabs the following message "Washington State law requires that pull tabs NOT sold through a mechanical pull tab dispensing device must be removed from the packaging container and mixed before selling to the public. Failure to remove and mix pull tabs from a packaging container may result in a minimum five day suspension of a license for each series not mixed." Provided, the above information may be printed on a crack and peel sticker and placed on the outside of the die cut box, package or other container of pull tabs. The above information may be printed on a colored packing slip and placed inside the package of pull tabs.

#### AMENDATORY SECTION (Amending Order 169, filed 7/14/87)

WAC 230-30-103 STANDARDS FOR CONSTRUCTION OF PULL TABS. (1) All pull tabs manufactured for use in the state of Washington after January 1, 1992 shall utilize a secondary verification code to prohibit counterfeiting on tabs that award prizes greater than \$20.00. Such codes shall be approved by the director prior to use within this state. Punchboards are exempt from the secondary verification code requirements.

~~((+))~~ (2) Pull tabs shall be constructed so that it is impossible to determine the covered or concealed number, symbol, set of symbols, or game protection on the pull tab until it has been dispensed to and opened by the player, by any method or device, including but not limited to, the use of a marking, variance in size, variance in paper fiber, or light.

~~((+))~~ (3) All pull tabs, except banded and latex covered pull tabs, will be constructed using a two or three ply paper stock construction.

~~((+))~~ (4) The manufacturer shall conspicuously print on the face or cover sheet the series number and the name of the manufacturer or label or trademark identifying the manufacturer. On banded pull tabs, the series number and the name of the manufacturer or label or trademark identifying the manufacturer shall be printed so both are readily visible prior to opening the pull tab.

~~((+))~~ (5) The cover sheet shall be color coded when individual series numbers are repeated and may show the consumer how to open the pull tab to determine the symbols or numbers. The cover sheet will contain perforated and/or clean-cut openings centered over the symbols or numbers on the back of the face sheet in such a manner as to allow easy opening by the consumer after purchase of the pull tabs,

while at the same time, not permitting pull tabs to be opened prematurely in normal handling. Perforation should exist on both horizontal lines of the opening with either perforated or clean-cut on the vertical or elliptical line where the tab must be grasped for opening after bending the edge of ticket down. On latex covered pull tabs, either the face or back of the pull tab shall be color coded when individual series numbers are repeated and may show the consumer how to remove the latex to determine the symbols or numbers. On banded pull tabs, the paper stock shall be color coded when individual series numbers are repeated.

~~((+))~~ (6) Pull tabs will be glued or sealed so that it is impossible to determine the covered or concealed numbers, symbol or set of symbols on the pull tab until it has been dispensed to and opened by the player.

~~((+))~~ (7) Thickness.

(a) Vendable pull tabs. Defined as pull tabs that are sold out of mechanical pull tab dispensing devices approved for such use in this state by the Washington state gambling commission.

(i) Single opening and double sided tabs. The overall bulk thickness of the pull tab shall be .045 inches plus or minus .003 inches.

(ii) Multiple opening tabs. The overall bulk thickness of the pull tab shall be .026 inches plus or minus .002 inches.

(b) Nonvendable pull tabs. Defined as pull tabs that cannot be sold out of mechanical pull tab dispensing devices approved for use in this state by the Washington state gambling commission. Nonvendable pull tabs may be dispensed from fishbowls, receptacles, packing boxes or spindles. Manufacturers may use any thickness, provided they comply with all other rules of the commission.

(c) All pull tabs within a single pull tab series shall be of the same thickness.

~~((+))~~ (8) Length and width.

(a) Vendable pull tabs

(i) Single opening and double sided tabs shall be 1 7/8 inches x 1 inch plus or minus 1/8 inch.

(ii) Multiple opening tabs shall be 3 1/2 inches by 1 7/8 inches plus or minus 1 inch.

(b) Nonvendable pull tabs - manufacturers may construct nonvendable pull tabs in any size provided the pull tab complies with all other rules of the commission.

(c) All pull tabs within a single pull tab series shall be uniform in length or width and not vary by more than 3/64 inch, provided that in no case shall winning pull tabs be identifiable by visible variation in dimension.

~~((+))~~ (9) All pull tabs will be constructed to insure that, when offered for sale to the public, the pull tab is virtually opaque and free of security defects wherein winning pull tabs cannot be determined prior to being opened through the use of high intensity lights or any other method.

~~((+))~~ (10) Each manufacturer shall establish his own game protection for each pull tab game or series of games. The game protection shall be a method of identifying winning pull tabs, after they have been purchased and opened, from nonwinning, altered or forged pull tabs. The manufacturer may use special numbers, colors, designs, ink or any combination to establish the game protection. Manufacturers will submit to the gambling commission a letter explaining the game protection and will keep the commission informed on any changes. Spindle-type pull tab series when played in the manner set out in WAC 230-30-070(8) are exempt from this requirement.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

#### AMENDATORY SECTION (Amending Order 220, filed 2/14/91, effective 3/17/91)

WAC 230-40-125 WASHINGTON BLACKJACK—RULES OF PLAY—WAGERING LIMITS. Washington blackjack is a nonhouse banking, card game and shall be permitted in Class A and E card rooms only and shall be played only in the following manner:

(1) One or two standard fifty-two-card decks shall be used with suits disregarded and each card valued numerically only: Ace, 1 or 11; face cards (K, Q, J), 10 each; others according to their spots, 10 to 2. One or two decks may be used when there are six or less players. Two decks shall be used when there are seven or more players. The cards shall be dealt from a shoe at all times. The game is played with a dealer/banker and only a player may be a dealer/banker.



(2) When starting a new table the cards are cut to determine who the first dealer/banker will be. The dealer shall announce the amount of money that he or she will put into the bank. A minimum bank may be established as per individual house rule.

(3) Once the bank has been established, the player to the immediate left of the dealer places his/her wager on the bet line and the dealer covers that wager by matching it with a like amount of chips. Each player makes their wager in turn and each wager is immediately matched by the dealer. The maximum wager shall not be more than ten dollars and the minimum wager may be set by house rule. If the bank runs out of money (tapped out) prior to the commencement of the deal, then only those players with a wager covered will be dealt a hand. No player may be dealt more than one hand.

(4) The play begins with the dealer dealing one card face up to each covered player including himself/herself, one more card face up to each covered player, and then one down card to himself/herself. If a player holds an ace and a face card or a ten, it is a "natural" 21 and the player collects twice the amount of their bet from the dealer, unless the dealer also has a natural which results in a tie (push). All ties result in the players and the dealer recovering their wagers.

(5) If the dealer has a "natural," he/she collects the wagers from players who do not have a "natural." If the dealer does not have a "natural," he/she pays off any player with a "natural" starting with the one closest to their left. Should the dealer not have enough money in the bank to make up the two for one payoff due on a "natural," then those hands and wagers will be frozen in place until the additional wagers are made up or the hand is over. If after the hand is over, a dealer cannot cover the two for one, the player shall get the amount of wager that was covered by the dealer.

(6) If the dealer does not have a "natural," play continues with the player on the dealer's immediate left. The dealer deals cards face up, one by one, as that player calls for them. The player's aim is to total 21 or as close to 21 without going over. When a player is satisfied with their total, they shall declare "stand." If more cards are wanted, the player declares "hit." If a player goes over a 21 point count, the hand is a "bust" and they must turn the hand down, while the dealer collects the bet.

(7) The dealer does the same with each remaining player. Any player who stands must wait while the dealer draws his or her cards. If the dealer goes bust, each standing player is paid the amount of their wager. If the dealer "stands," the down card is turned up and players whose totals are higher than the dealer's are paid. The dealer collects from any player whose total is less. Action is always to the left of the dealer. Any frozen wagers needing to be "made up" will be done in order, to the left of the dealer from losing wagers the dealer collects. Should the dealer not be able to cover all frozen wagers then those frozen wagers are released to the winning players and the deal passes immediately to the left at which time the new dealer shall announce their bank and shuffle the cards. The same shall apply if the dealer has no money in the bank. The dealer may, if allowed by house rule, add to their bank in between hands.

(8) Upon completion of the shuffle, the player to the right of the dealer shall cut the cards. After the cards have been placed into the shoe the dealer shall insert a blank card approximately three quarters of the way through the deck(s). A dealer may deal from the shoe until he/she reaches the blank card. After the blank card appears, the dealer may continue dealing that hand, but will not start a new hand. The deal must then pass to the player on the dealer's immediate left. The discards may only be reshuffled to complete the last hand.

(9) Once wagers are placed and covered on the bet line, no player, including the dealer, may touch those wagers until the winner has been determined. Any player touching the wagers may be ruled to have fouled and their wager forfeited.

(10) Any player who lifts their cards up from the table or slides their cards out of their own playing area shall be ruled to have fouled and their wager may be forfeited.

(11) No player may "buy" the bank. The deal must pass around the table to the left and no player can authorize another player to deal for him or her. A new player entering the game may not participate as the dealer/banker until at least two other players have dealt. If a player does not wish to deal and passes the deal, that player may not play in the first two hands conducted by the next dealer. A dealer may after completing one full hand, pass the deal and be able to participate in the next hand.

(12) The dealer must stand on 17 or above and must take hits on 16 or below. If a dealer has an ace, it shall be counted as 11 (eleven) if it brings his or her total to 17 or more (but not over 21).

(13) If a player's first two cards total exactly 9, 10 or 11, they may double their wager and receive one more card. The player must then stand on those three cards. If the dealer's bank is insufficient to cover a double down wager, the player may wager an amount equal to the dealer's remaining bank. The dealer must then cover that wager. If the dealer has no bank then a player may not double down.

(14) If the dealer's face-up card is a ten, face card or ace, he/she may look at their face-down card to see if they have a natural; if his/her face-up card is anything else, they may not look at their face-down card until their turn comes to draw. Should the dealer violate this rule their hand may be ruled to have been fouled, which shall result in forfeiture of all remaining dealer wagers.

(15) If a player's first two cards are a pair, then that player may split the pair into two separate hands. The amount of the player's original bet then goes on one of the cards, and they must place an equal amount as a bet on the other card. When this player's turn to draw comes, they receive an up-card for each hand and then play each hand in order. If the dealer does not have enough in their bank to cover the doubled bet, the dealer must cover an amount equal to the value of their remaining bank. The player then has the option to divide the wagers in any manner between the two hands, not to exceed the allowable limit per hand. If the dealer has no bank then the player may divide their wager in any manner between the two hands. If a player's original bet was a minimum allowed in that game then they may not split their pair. A player may only split a pair once.

(16) The dealer will pay only on the value of the cards held by the player and shall not pay on the number of cards received or the card sequence.

(17) There shall be no credit or I.O.U. issued by any player or management.

~~((18) Washington blackjack shall be authorized for a test beginning April 1, 1990, and concluding December 31, 1991. Of the five tables authorized under RCW 9.46.028(1) the card room licensee may utilize no more than two tables for Washington blackjack, and must notify the director ten days prior to initiating play.~~

~~((19) The director may limit the number of participants in the test when in his judgement the number of participants exceed the ability of the staff to adequately monitor the test.))~~

**WSR 91-17-088**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Filed August 21, 1991, 3:59 p.m.]

**Original Notice.**

**Title of Rule: Chapter 388-96 WAC Nursing home—Accounting—Reimbursement.**

**Purpose: WAC 388-96-010, to provide a definition of "gain on sale" for the purpose of depreciation reimbursement recovery; WAC 388-96-023, to require as a condition of participation in Medicaid that a nursing facility have at least 15% of its beds certified for Medicare participation; WAC 388-96-507, to clarify that ordinary and necessary costs of providing care and meeting standards are not allowable if they are expressly declared unallowable elsewhere in the chapter; WAC 388-96-559, to further clarify that both land and depreciable assets are subject to appraisal limitations for all rate periods after December 31, 1984. To further clarify that both land and depreciable assets are prohibited from being revalued upward for all partial or whole rate periods after July 17, 1984, for changes of ownership after this date; WAC 388-96-569, to provide for recovery of prior depreciation reimbursement to the extent there is a gain on sale of nursing facility assets resulting from a sale or capitalized lease. To clarify there will be no adjustment**

of depreciation base or cost basis for the buyer or capitalized lessee in the event of recapture; WAC 388-96-585, to further clarify the cost of land and depreciable assets, which cannot be reimbursed under the Deficit Reduction Act of 1984 (DEFRA) and state statutory and regulatory provisions, for sales on or after July 18, 1984, are unallowable for all partial or whole rate periods after July 17, 1984. To provide that costs of nursing "pool services" (temporary nursing services purchased under contract) are unallowable to the extent they exceed what the services would have cost for the same services at in-house nursing wages at the same facility for the same category of health care worker; WAC 388-96-722, to provide for the nonreimbursement of costs of temporary nursing services ("pool services") to the extent they exceed the cost of such services had they been performed by in-house staff at the facility. To provide for the exclusion of such excess costs from nursing costs for the purpose of measuring year-to-year nursing cost increases in calculating and applying the nursing cost increase lid and from converting excess nursing hours to costs in computing the hours lid. To provide for the suspension of the nursing cost increase lid for state fiscal year 1992 only (July 1, 1991, to June 30, 1992, rate setting); and WAC 388-96-754, to reduce the financing allowance from 11% to 10% of net invested funds. To further clarify that the cost basis of land as well as the depreciation base of depreciable assets cannot be increased for reimbursement purposes for all changes of ownership on or after July 18, 1984, for all partial or whole rate periods after July 17, 1984. To further clarify the cost basis of leased land shall be lessor's historical capitalized cost, regardless of whether the lease is capitalized or not.

Statutory Authority for Adoption: WAC 388-96-010, 388-96-023, 388-96-507, 388-96-559 and 388-96-585 is RCW 74.09.120; WAC 388-96-722 is RCW 74.09.180 and 74.46.800; and WAC 388-96-569 and 388-96-754 is RCW 74.09.120 and 74.46.800.

Statute Being Implemented: See Statutory Authority above.

Summary: WAC 388-96-010, defines "gain on sale" as the total actual sales price, or imputed sales price in the case of a capitalized lease, of a nursing home, minus the net book value of the assets for Medicaid reimbursement purposes at the time of the sale or lease; WAC 388-96-023, requires Medicare certification of at least 15% of a nursing facility's licensed beds as a condition for participation in the Medicaid program; WAC 388-96-507, further clarifies that costs of meeting standards and providing nursing care must be documented and not expressly declared unallowable elsewhere in order to be allowable for Medicaid. Deletes obsolete reference to WAC 388-88-051; WAC 388-96-559, further clarifies that, for all rate periods after December 31, 1984, the cost of land and depreciable assets are subject to appraisal limitations. Further clarifies that for all rate period, past or future, the allowable cost basis or depreciation base of land or depreciable assets received from a related organization cannot exceed that which would be allowed the related organization. Further clarifies that for all partial or whole rate periods after July 17, 1984,

the cost basis of land and all nondepreciable assets, like the depreciation base of depreciable assets, cannot be increased for purposes of Medicaid reimbursement resulting from a change of ownership occurring after July 17, 1984; WAC 388-96-569, provides for recovery of depreciation reimbursement to the extent there is a gain on sale for all sales or capitalized leases of some or all of a nursing home's assets occurring on or after July 1, 1991. Provides that recovery shall be from the buyer, regardless of whether the buyer is a Medicaid contractor, and that recovery shall be made pursuant to a repayment schedule agreeable to the department not to exceed the time depreciation was reimbursed on the asset. Provides authority to deduct from monthly Medicaid payments in the event repayment is not voluntarily made. Provides authority to recover from seller if buyer does not pay and provides that the seller continues to be liable for repayment in the event the buyer does not pay. Provides in the case of a capitalized lease that the sales price of leased assets shall be computed as the present value of the lease payments over the term of the lease, discounted at the state average borrowing rate in effect at the beginning of the lease. Provides that the net book value of assets subject to sale or capitalized lease shall be the valuation assigned to the assets for the purpose of calculating the most recent Medicaid contractor's Medicaid rate. Provides that there will be no adjustment to the cost basis and depreciation base of the buyer or lessee under a capitalized lease resulting from any depreciation reimbursement recovery. Estimated fiscal year 1992 Medicaid program financial impact resulting from depreciation reimbursement recovery: \$1.1 savings; WAC 388-96-585, further clarifies the cost of land and/or depreciable assets is unallowable retroactive for all partial or whole rate periods after July 17, 1984. Makes expressly unallowable the costs of nursing services purchased under contract in excess of what the services would have cost at the facility's in-house average wage rate for the same classification of employee; WAC 388-96-722, excludes from reimbursement those costs of nursing services purchased under contract in excess of what the services would have cost had they been provided by in-house nursing staff at the nursing facility's wage rates for employees of like classification. Further excludes such excess costs from use in the reasonableness tests prescribed by this regulation. Suspends application of the cost increase lid for July 1, 1991, through June 30, 1992, rate setting only. Estimated fiscal year 1992 Medicaid program financial impact resulting from exclusion of contract services costs in excess of in-house wage rates for same services: \$2.4 million savings. Estimated fiscal year 1992 Medicaid program financial impact resulting from suspension of cost increase lid: \$1.2 million additional expenditure; and WAC 388-96-754, lowers the percentage of net invested funds to be used in calculating the financing allowance portion of return on investment reimbursement from 11% to 10% effective for July 1, 1991 and following rate periods. Further clarifies that capitalized cost of leased land shall be lessor's historical capitalized cost, whether the lease is capitalized or not. Further clarifies, retroactive for all partial or whole rate periods after July 17, 1991, that

nursing facility land purchased on or after July 18, 1984, shall be valued for reimbursement purposes at the lower of the capitalized cost of the owner of record on July 17, 1984, or buyer's capitalized cost. Estimated fiscal year 1992 Medicaid program financial impact resulting from reduction of financing allowance from 11% to 10% of net invested funds: \$2.4 million savings.

Reasons Supporting Proposal: WAC 388-96-010, comply with new 1991 state legislation effective July 1, 1991, (EHB 1890, Sec 11); WAC 388-96-023, comply with new 1991 state legislation effective July 1, 1991, (EHB 1890, Sec 13); WAC 388-96-507, comply with new 1991 clarifying state legislation effective July 1, 1991, (EHB 1890, Sec 14); WAC 388-96-559, comply with new 1991 clarifying state legislation effective retroactively to December 31, 1984, and July 17, 1984, (EHB 1890, Sec 18); WAC 388-96-569, comply with new 1991 state legislation effective July 1, 1991 (EHB 1890, Sec 12); WAC 388-96-585, comply with new 1991 clarifying state legislation effective retroactively to July 17, 1991, and comply with new state legislation effective July 1, 1991, (EHB 1890, Sec 15); WAC 388-96-722, comply with new 1991 state legislation effective July 1, 1991 (EHB 1890, Sec 16); and WAC 388-96-754, comply with new 1991 clarifying state legislation effective retroactively to July 17, 1984. Comply with new 1991 state legislation effective July 1, 1991, (EHB 1890, Sec 17).

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Paul Montgomery, Aging and Adult Services, 493-2587.

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

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

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on October 8, 1991, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop 5805, Olympia, Washington 98504, by October 8, 1991.

Date of Intended Adoption: October 22, 1991.

August 21, 1991  
Leslie F. James, Director  
Administrative Services

**AMENDATORY SECTION** (Amending Order 2970, filed 4/17/90, effective 5/18/90)

WAC 388-96-010 TERMS. Unless the context clearly requires otherwise, the following terms shall have the meaning set forth in this section when used in this chapter.

(1) "Accounting" means activities providing information, usually quantitative and often expressed in monetary units, for:

- (a) Decision-making;
- (b) Planning;
- (c) Evaluating performance;
- (d) Controlling resources and operations; and

(e) External financial reporting to investors, creditors, regulatory authorities, and the public.

(2) "Accrual method of accounting" means a method of accounting in which revenues are reported in the period when earned, regardless of when collected, and expenses are reported in the period in which incurred, regardless of when paid.

(3) "Administration and management" means activities employed to maintain, control, and evaluate the efforts and resources of an organization for the accomplishment of the objectives and policies of that organization.

(4) "Allowable costs" - See WAC 388-96-501.

(5) "Ancillary care" means services required by the individual, comprehensive plan of care provided by qualified therapists or by support personnel under their supervision.

(6) "Arm's-length transaction" means a transaction resulting from good-faith bargaining between a buyer and seller who have adverse bargaining positions in the marketplace.

(a) Sales or exchanges of nursing home facilities among two or more parties in which all parties subsequently continue to own one or more of the facilities involved in the transactions shall not be considered as arm's-length transactions for purposes of this chapter.

(b) Sale of a nursing home facility which is subsequently leased back to the seller within five years of the date of sale shall not be considered as an arm's-length transaction for purposes of this chapter.

(7) "Assets" means economic resources of the contractor, recognized and measured in conformity with generally accepted accounting principles. "Assets" also include certain deferred charges that are not resources but are recognized and measured in accordance with generally accepted accounting principles.

(8) "Bad debts" means amounts considered to be uncollectable from accounts and notes receivable.

(9) "Beds" means, unless otherwise specified, the number of set-up beds in the nursing home, not to exceed the number of licensed beds.

(10) "Beneficial owner" means any person who:

(a) Directly or indirectly, through any contract, arrangement, understanding, relationship, or otherwise has or shares:

(i) Voting power which includes the power to vote, or to direct the voting of such ownership interest; and/or

(ii) Investment power which includes the power to dispose, or to direct the disposition of such ownership interest.

(b) Directly or indirectly, creates or uses a trust, proxy, power of attorney, pooling arrangement, or any other contract, arrangement, or device with the purpose or effect of divesting himself or herself of beneficial ownership of an ownership interest, or preventing the vesting of such beneficial ownership as part of a plan or scheme to evade the reporting requirements of this chapter.

(c) Subject to subsection (4) of this section, has the right to acquire beneficial ownership of such ownership interest within sixty days, including but not limited to any right to acquire:

(i) Through the exercise of any option, warrant, or right;

(ii) Through the conversion of an ownership interest;

(iii) Pursuant to the power to revoke a trust, discretionary account, or similar arrangement; or

(iv) Pursuant to the automatic termination of a trust, discretionary account, or similar arrangement;

Except that, any person who acquires an ownership interest or power specified in subsection (10)(c)(i), (ii), or (iii) of this section with the purpose or effect of changing or influencing the control of the contractor, or in connection with or as a participant in any transaction having such purpose or effect, immediately upon such acquisition shall be deemed to be the beneficial owner of the ownership interest which may be acquired through the exercise or conversion of such ownership interest or power.

(d) In the ordinary course of business, is a pledgee of ownership interest under a written pledge agreement and shall not be deemed the beneficial owner of such pledged ownership interest until the pledgee takes:

(i) Formal steps necessary required to declare a default; and

(((((ii))) (ii) Determines the power to vote or to direct the vote or to dispose or to direct the disposition of such pledged ownership interest will be exercised provided the pledge agreement:

(A) Is bona fide and was not entered into with the purpose nor with the effect of changing or influencing the control of the contractor, nor in connection with any transaction having such purpose or effect, including persons meeting the conditions set forth in subsection (10)(b) of this section; and

(B) Prior to default, does not grant the pledgee the power to:

- (I) Vote or direct the vote of the pledged ownership interest; or
- (II) Dispose or direct the disposition of the pledged ownership interest, other than the grant of such power or powers pursuant to a pledge agreement under which credit is extended and in which the pledgee is a broker or dealer.
- (11) "Capitalization" means the recording of an expenditure as an asset.
- (12) "Capitalized lease" means a lease required to be recorded as an asset and associated liability in accordance with generally accepted accounting principles.
- (13) "Cash method of accounting" means a method of accounting in which revenues are recognized only when cash is received, and expenditures for expense and asset items are not recorded until cash is disbursed for those expenditures and assets.
- (14) "Change of ownership" means a change in the individual or legal organization responsible for the daily operation of a nursing home.
- (a) Events which change ownership include but are not limited to the following:
- The form of legal organization of the contractor is changed (e.g., a sole proprietor forms a partnership or corporation);
  - Title to the nursing home business enterprise is transferred by the contractor to another party;
  - Where the contractor is a partnership, any event occurs which dissolves the partnership;
  - Where the contractor is a corporation, the corporation is dissolved, merges with another corporation which is the survivor, or consolidates with one or more other corporations to form a new corporation; or
  - Any other event occurs which results in a change of operating entity.
- (b) Ownership does not change when the following, without more, occur:
- A party contracts with the contractor to manage the enterprise as the contractor's agent, i.e., subject to the contractor's general approval of daily operating decisions;
  - If the contractor is a corporation, some or all of its stock is transferred; or
  - The real property or personal property assets associated with the nursing home change ownership or are leased, or a lease of them is terminated, without a change of operating entity.
- (15) "Charity allowances" means reductions in charges made by the contractor because of the indigence or medical indigence of a patient.
- (16) "Contract" means a contract between the department and a contractor for the delivery of SNF or ICF services to medical care recipients.
- (17) "Contractor" means an entity which contracts with the department to deliver care services to medical care recipients in a facility. The entity is responsible for operational decisions.
- (18) "Courtesy allowances" means reductions in charges in the form of an allowance to physicians, clergy, and others, for services received from the contractor. Employee fringe benefits are not considered courtesy allowances.
- (19) "CSO" means the local community services office of the department.
- (20) "Department" means the department of social and health services (DSHS) and employees.
- (21) "Depreciation" means the systematic distribution of the cost or other base of tangible assets, less salvage, over the estimated useful life of the assets.
- (22) "Donated asset" means an asset the contractor acquired without making any payment for the asset in the form of cash, property, or services.
- (a) An asset is not a donated asset if the contractor made even a nominal payment in acquiring the asset.
- (b) An asset purchased using donated funds is not a donated asset.
- (23) "Entity" means an individual, partnership, corporation, or any other association of individuals capable of entering enforceable contracts.
- (24) "Equity capital" means total tangible and other assets which are necessary, ordinary, and related to patient care from the most recent provider cost report minus related total long-term debt from the most recent provider cost report plus working capital as defined in this section.
- (25) "Exceptional care recipient" means a medical care recipient determined by the department to require exceptionally heavy care.

(26) "Facility" means a nursing home licensed in accordance with chapter 18.51 RCW, or that portion of a hospital licensed in accordance with chapter 70.41 RCW which operates as a nursing home.

(27) "Fair market value" means:

(a) Prior to January 1, 1985, the price for which an asset would have been purchased on the date of acquisition in an arm's-length transaction between a well-informed buyer and seller, neither being under any compulsion to buy or sell; or

(b) Beginning January 1, 1985, the replacement cost of an asset, less observed physical depreciation, on the date the fair market value is determined.

(28) "Financial statements" means statements prepared and presented in conformity with generally accepted accounting principles and the provisions of chapter 74.46 RCW and this chapter including, but not limited to:

- Balance sheet;
- Statement of operations;
- Statement of changes in financial position; and
- Related notes.

(29) "Fiscal year" means the operating or business year of a contractor. All contractors report on the basis of a twelve-month fiscal year, but provision is made in this chapter for reports covering abbreviated fiscal periods.

(30) "Gain on sale" means the actual or imputed total sales price of all tangible or intangible nursing home assets including, but not limited to, land, building, equipment, supplies, goodwill and beds authorized by certificate of need, minus the net book value of such assets assigned for Medicaid reimbursement purposes immediately prior to the time of sale or capitalized lease of some or all of such assets. If there is no Medicaid contract immediately prior to the time of sale or capitalized lease, the net book value shall be that assigned for Medicaid reimbursement purposes at the termination of the most recent Medicaid contract.

(31) "Generally accepted accounting principles (GAAP)" means accounting principles approved by the Financial Accounting Standards Board (FASB).

~~((31))~~ (32) "Generally accepted auditing standards (GAAS)" means auditing standards approved by the American Institute of Certified Public Accountants (AICPA).

~~((32))~~ (33) "Goodwill" means the excess of the price paid for:

- A business over the fair market value of all other identifiable, tangible, and intangible assets acquired; and
- An asset over the fair market value of the asset.

~~((33))~~ (34) "Historical cost" means the actual cost incurred in acquiring and preparing an asset for use, including feasibility studies, architects' fees, and engineering studies.

~~((34))~~ (35) "ICF" means:

- An intermediate care facility when referring to a nursing home;
- When referring to a level of care, intermediate care; and
- When referring to a patient, a patient requiring intermediate care.

~~((35))~~ (36) "Imprest fund" means a fund which is regularly replenished in exactly the amount expended from it.

~~((36))~~ (37) "Interest" means the cost incurred for the use of borrowed funds, generally paid at fixed intervals by the user.

~~((37))~~ (38) "Intermediate care facility" means a licensed facility certified to deliver intermediate care services to medical care recipients.

~~((38))~~ (39) "Joint facility costs" means any costs representing expenses incurred which benefit more than one facility, or one facility and any other entity.

~~((39))~~ (40) "Lease agreement" means a contract between two parties for the possession and use of real or personal property or assets for a specified period of time in exchange for specified periodic payments. Elimination or addition of any party to the contract, expiration, or modification of any lease term in effect on January 1, 1980, or termination of the lease by either party by any means shall constitute a termination of the lease agreement. An extension or renewal of a lease agreement, whether or not pursuant to a renewal provision in the lease agreement, shall be considered a new lease agreement. A strictly formal change in the lease agreement which modifies the method, frequency, or manner in which the lease payments are made, but does not increase the total lease payment obligation of the lessee shall not be considered modification of a lease term.

~~((40))~~ (41) "Levels of care" means the classification of types of services provided to patients by a contractor, e.g., skilled nursing care or intermediate care.

((41)) (42) "Medical care program" means medical assistance provided under RCW 74.09.500 or authorized state medical care services.

((42)) (43) "Medical care recipient" means an individual determined eligible by the department for the services provided in chapter 74.09 RCW.

((43)) (44) "Multiservice facility" means a facility at which two or more types of health or related care are delivered, e.g., a hospital and SNF and/or ICF, or a boarding home and SNF and/or ICF. A combined SNF/ICF or ICF/IMR is not considered a multiservice facility.

((44)) (45) "Net book value" means the historical cost of an asset less accumulated depreciation.

((45)) (46) "Net invested funds" means the net book value of tangible fixed assets employed by a contractor to provide services under the medical care program, including land, buildings, and equipment as recognized and measured in conformity with generally accepted accounting principles and not in excess of any lids or reimbursement limits set forth in this chapter, plus an allowance for working capital which shall be five percent of the allowable costs of each contractor for the previous calendar year. Assets associated with central or home offices or otherwise not on the nursing home premises are not included in net invested funds.

((46)) (47) "Nonadministrative wages and benefits" means wages, benefits, and corresponding payroll taxes paid for nonadministrative personnel, not to include administrator, assistant administrator, or administrator-in-training.

((47)) (48) "Nonallowable costs" means same as "unallowable costs."

((48)) (49) "Nonrestricted funds" means funds which are not restricted to a specific use by the donor, e.g., general operating funds.

((49)) (50) "Nursing home" means a home, place, or institution, licensed under chapter 18.51 RCW, where skilled nursing and/or intermediate care services are delivered.

((50)) (51) "Operating lease" means a lease under which rental or lease expenses are included in current expenses in accordance with generally accepted accounting principles.

((51)) (52) "Owner" means a sole proprietor, general or limited partner, or beneficial interest holder of five percent or more of a corporation's outstanding stock.

((52)) (53) "Ownership interest" means all interests beneficially owned by a person, calculated in the aggregate, regardless of the form the beneficial ownership takes.

((53)) (54) "Patient day" means a calendar day of patient care. In computing calendar days of care, the day of admission is always counted. The day of discharge is counted only when the patient was admitted on the same day. A patient is admitted for purposes of this definition when the patient is assigned a bed and a patient medical record is opened.

((54)) (55) "Per diem (per patient day) costs" means total allowable costs for a fiscal period divided by total patient days for the same period.

((55)) (56) "Professionally designated real estate appraiser" means an individual:

(a) Regularly engaged in the business of providing real estate valuation services for a fee;

(b) Qualified by a nationally recognized real estate appraisal educational organization on the basis of extensive practical appraisal experience, including the:

(i) Writing of real estate valuation reports;

(ii) Passing of written examination on valuation practice and theory; and

(iii) Requirement to subscribe and adhere to certain standards of professional practice as the organization prescribes.

((56)) (57) "Prospective daily payment rate" means the rate assigned by the department to a contractor for providing service to medical care recipients. The rate is used to compute the maximum participation of the department in the contractor's costs.

((57)) (58) "Qualified therapist":

(a) An activities specialist having specialized education, training, or at least one year's experience in organizing and conducting structured or group activities;

(b) An audiologist eligible for a certificate of clinical competence in audiology or having the equivalent education and clinical experience;

(c) A mental health professional as defined by chapter 71.05 RCW;

(d) A mental retardation professional, either a qualified therapist or a therapist, approved by the department having specialized training or

one year's experience in treating or working with the mentally retarded or developmentally disabled;

(e) A social worker graduated from a school of social work;

(f) A speech pathologist eligible for a certificate of clinical competence in speech pathology or having the equivalent education and clinical experience;

(g) A physical therapist as defined by chapter 18.74 RCW; or

(h) An occupational therapist graduated from a program in occupational therapy, or having the equivalent of education or training, and meeting all requirements of state law.

((58)) (59) "Recipient" means a medical care recipient.

((59)) (60) "Records" means data supporting all financial statements and cost reports including, but not limited to:

(a) All general and subsidiary ledgers;

(b) Books of original entry;

(c) Invoices;

(d) Schedules;

(e) Summaries; and

(f) Transaction documentation, however maintained.

((60)) (61) "Regression analysis" means a statistical technique through which one can analyze the relationship between a dependent or criterion variable and a set of independent or predictor variables.

((61)) (62) "Related care" includes:

(a) The director of nursing services;

(b) Activities and social services programs;

(c) Medical and medical records specialists; and

(d) Consultation provided by:

(i) Medical directors;

(ii) Pharmacists;

(iii) Occupational therapists;

(iv) Physical therapists;

(v) Speech therapists; and

(vi) Other therapists; and

(vii) Mental health professionals as defined in law and regulation.

((62)) (63) "Related organization" means an entity under common ownership and/or control, or which has control of or is controlled by, the contractor. Common ownership exists if an entity has a five percent or greater beneficial ownership interest in the contractor and any other entity. Control exists if an entity has the power, directly or indirectly, to significantly influence or direct the actions or policies of an organization or institution, whether or not the power is legally enforceable and however exercisable or exercised.

((63)) (64) "Relative" includes:

(a) Spouse;

(b) Natural parent, child, or sibling;

(c) Adopted child or adoptive parent;

(d) Stepparent, stepchild, stepbrother, stepsister;

(e) Father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law;

(f) Grandparent or grandchild; and

(g) Uncle, aunt, nephew, niece, or cousin.

((64)) (65) "Restricted fund" means a fund for which the use of the principal and/or income is restricted by agreement with or direction of the donor to a specific purpose, in contrast to a fund over which the contractor has complete control. Restricted funds generally fall into three categories:

(a) Funds restricted by the donor to specific operating purposes;

(b) Funds restricted by the donor for additions to property, plant, and equipment; and

(c) Endowment funds.

((65)) (66) "Secretary" means the secretary of the department of social and health services (DSHS).

((66)) (67) "Skilled nursing facility" means a licensed facility certified to deliver skilled nursing care services to medical care recipients.

((67)) (68) "SNF" means:

(a) When referring to a facility, a skilled nursing facility;

(b) When referring to a level of care, skilled nursing care; and

(c) When referring to a patient, a patient requiring skilled nursing care.

((68)) (69) "Start-up costs" means the one-time preopening costs incurred from the time preparation begins on a newly constructed or purchased building until the first patient is admitted. Start-up costs include:

(a) Administrative and nursing salaries;

(b) Utility costs;

(c) Taxes;

- (d) Insurance;
- (e) Repairs and maintenance; and
- (f) Training costs.

Start-up costs do not include expenditures for capital assets.

~~((69))~~ (70) "Title XIX" means the 1965 amendments to the Social Security Act, P.L. 89-07, as amended.

~~((70))~~ (71) "Unallowable costs" means costs which do not meet every test of an allowable cost.

~~((71))~~ (72) "Uniform chart of accounts" means a list of account titles identified by code numbers established by the department for contractors to use in reporting costs.

~~((72))~~ (73) "Vendor number" means a number assigned to each contractor delivering care services to medical care recipients.

~~((73))~~ (74) "Working capital" means total current assets necessary, ordinary, and related to patient care from the most recent cost report minus total current liabilities necessary, ordinary, and related to patient care from the most recent cost report.

#### AMENDATORY SECTION (Amending Order 2025, filed 9/16/83)

WAC 388-96-023 CONDITIONS OF PARTICIPATION. In order to participate in the prospective cost-related reimbursement system, the person or legal organization responsible for operation of a nursing home or multiservice facility shall:

(1) Obtain a state certificate of need approval pursuant to chapter 70.38 RCW where required;

(2) Hold the appropriate current license (e.g., nursing home license, hospital license);

(3) Hold current Title XIX certification to provide SNF and/or ICF services;

(4) Hold a current contract to provide SNF and/or ICF services; and

(5) Obtain and continuously maintain Medicare certification, under 42 USC 1395 (Title XVIII of the Social Security Act), as amended, for no less than fifteen percent of the licensed beds of the facility.

(6) Comply with all provisions of the contract, chapter 74.46 RCW, and all applicable regulations, including but not limited to the provisions of this chapter and of chapter 388-88 WAC.

#### AMENDATORY SECTION (Amending Order 1712, filed 11/4/81)

WAC 388-96-507 COSTS OF MEETING STANDARDS. All documented costs that are ordinary, necessary and ((ordinary expenses)) related to the care of medical care recipients and are not expressly unallowable which a contractor incurs in providing care services meeting all applicable standards, will be allowable costs. The expenses include necessary and ordinary costs of:

(1) Meeting licensing and certification standards;

(2) Meeting standards of providing regular room, nursing, ancillary, and dietary services, in accordance with WAC 388-88-050 and ~~((388-88-051))~~;

(3) Fulfilling accounting and reporting requirements imposed by this chapter; and

(4) Performing any patient assessment activity required by the department.

#### AMENDATORY SECTION (Amending Order 2970, filed 4/17/90, effective 5/18/90)

WAC 388-96-559 COST BASIS OF LAND AND DEPRECIATION BASE. (1) For all ~~((rates effective on or after January 1, 1985))~~ partial or whole rate periods after December 31, 1984, the total depreciation base of depreciable assets and the cost basis of land shall be the lowest of:

(a) The contractor's appraisal, if any;

(b) The department's appraisal obtained through the department of general administration of the state of Washington, if any; or

(c) The historical purchase cost of the contractor, or lessor if the assets are leased by the contractor, in acquiring ownership of the asset in an arm's-length transaction, and preparing the asset for use, less goodwill, and less accumulated depreciation, if applicable, incurred during periods the assets have been used in or as a facility by any and all contractors. Such accumulated depreciation is to be measured in accordance with subsection (5) of this section and WAC 388-96-561, 388-96-565, and 388-96-567. Estimated salvage value shall be deducted from historical cost where the straight-line or sum-of-the-years digits method of depreciation is used.

(2) Unless otherwise provided or limited by this chapter or by chapter 74.46 RCW, the department shall, in determining the total depreciation base of a depreciable real or personal asset owned or leased by the contractor, deduct depreciation relating to all periods subsequent to the more recent of:

(a) The date such asset was first used in the medical care program; or

(b) The most recent date such asset was acquired in an arm's-length purchase transaction which the department is required to recognize for Medicaid cost reimbursement purposes.

No depreciation shall be deducted for periods such asset was not used in the medical care program or was not used to provide nursing care.

(3) The department may have the fair market value of the asset at the time of purchase established by appraisal through the department of general administration of the state of Washington if:

(a) The department challenges the historical cost of an asset; or

(b) The contractor cannot or will not provide the historical cost of a leased asset and the department is unable to determine such historical cost from its own records or from any other source.

The contractor may allocate or reallocate values among land, building, improvements, and equipment in accordance with the department's appraisal.

If an appraisal is conducted, the depreciation base of the asset and cost basis of land will not exceed the fair market value of the asset. An appraisal conducted by or through the department of general administration shall be final unless the appraisal is shown to be arbitrary and capricious.

(4) For leased assets, the department may examine documentation in its files or otherwise obtainable from any source to determine:

(a) The lessor's purchase acquisition date; or

(b) The lessor's historical cost at the time of the last arm's-length purchase transaction.

If the department is unable to determine the lessor's acquisition date by review of its records or other records, the department, in determining fair market value as of such date, may use the construction date of the facility, as found in the state fire marshal's records or other records, as the lessor's purchase acquisition date of leased assets.

(5) For all ~~rate~~~~effective on or after January 1, 1985~~ periods past or future, where depreciable assets or land are acquired from a related organization, the contractor's depreciation base and land cost basis shall not exceed the base and basis the related organization had or would have had under a contract with the department.

(6) If a contractor cannot or will not provide the lessor's purchase acquisition cost of assets leased by the contractor and the department is unable to determine historical purchase cost from another source, the appraised asset value of land, building, or equipment, determined by or through the department of general administration shall be adjusted, if necessary, by the department using the Marshall and Swift Valuation Guide to reflect the value at the lessor's acquisition date. If an appraisal has been prepared for leased assets and the assets subsequently sell in the first arm's-length transaction since January 1, 1980, under subsection (8) of this section, the Marshall and Swift Valuation Guide will be used to adjust, if necessary, the asset value determined by the appraisal to the sale date. If the assets are located in a city for which the Marshall and Swift Valuation Guide publishes a specific index, or if the assets are located in a county containing that city, the city-specific index shall be used to adjust the appraised value of the asset. If the assets are located in a city or county for which a specific index is not calculated, the Western District Index calculated by Marshall and Swift shall be used.

(7) For all rates effective on or after January 1, 1985, if depreciable assets or land are acquired by purchase which were used in the medical care program on or after January 1, 1980, the depreciation base or cost basis of such assets shall not exceed the net book value existing at the time of such acquisition or which would have existed had the assets continued in use under the previous Medicaid contract with the department; except that depreciation shall not be accumulated for periods during which such assets were not used in the medical care program or were not in use in or as a nursing care facility.

(8)(a) Subsection (7) of this section shall not apply to the most recent arm's-length purchase acquisition if it occurs ten years or more after the previous arm's-length transfer of ownership nor shall subsection (7) of this section apply to the first arm's-length purchase acquisition of assets occurring on or after January 1, 1980, for facilities participating in the Medicaid program before January 1, 1980. The depreciation base or cost basis for such acquisitions shall not exceed



the lesser of the fair market value as of the date of purchase of the assets determined by an appraisal conducted by or through the department of general administration or the owner's acquisition cost of each asset, land, building, or equipment. An appraisal conducted by or through the department of general administration shall be final unless the appraisal is shown to be arbitrary and capricious. Should a contractor request a revaluation of an asset, the contractor must document ten years have passed since the most recent arm's-length transfer of ownership. As mandated by Section 2314 of the Deficit Reduction Act of 1984 (P.L. 98-369) and state statutory amendments, and under RCW 74.46.840, for all partial or whole rate(s) periods after July 17, 1984, this subsection is inoperative for any transfer of ownership of any asset, including land and all depreciable or nondepreciable assets, occurring on or after July 18, 1984, leaving subsection (7) of this section to apply without exception to acquisitions occurring on or after July 18, 1984, except as provided in subsections (8)(b) and (9) of this section.

(b) For all rates after July 17, 1984, subsection (8)(a) shall apply, however, to transfers of ownership of assets:

(i) Occurring before January 1, 1985, if the costs of such assets have never been reimbursed under Medicaid cost reimbursement on an owner-operated basis or as a related party lease; or

(ii) Under written and enforceable purchase and sale agreements dated before July 18, 1984, which are documented and submitted to the department before January 1, 1988.

(c) For purposes of Medicaid cost reimbursement under this chapter, an otherwise enforceable agreement to purchase a nursing home dated before July 18, 1984, shall be considered enforceable even though the agreement contains:

(i) No legal description of the real property involved; or

(ii) An inaccurate legal description, notwithstanding the statute of frauds or any other provision of law.

(9)(a) In the case of land or depreciable assets leased by the same contractor since January 1, 1980, in an arm's-length lease, and purchased by the lessee/contractor, the lessee/contractor shall have the option to have the:

(i) Provisions of subsection (8) of this section apply to the purchase; or

(ii) Reimbursement for property and return on investment continue to be calculated under the provisions contained in RCW 74.46.530 (1)(e) and (f) and WAC 388-96-754(5). Reimbursement shall be based upon provisions of the lease in existence on the date of the purchase.

(b) The lessee/contractor may select the option in subsection (9)(a)(ii) of this section only when the purchase date meets one of the following criteria. The purchase date is:

(i) After the lessor has declared bankruptcy or has defaulted in any loan or mortgage held against the leased property;

(ii) Within one year of the lease expiration or renewal date contained in the lease;

(iii) After a rate setting for the facility in which the reimbursement rate set, under this chapter and under chapter 74.46 RCW, no longer is equal to or greater than the actual cost of the lease; or

(iv) Within one year of any purchase option in existence on January 1, 1988.

(10) For purposes of establishing the property and return on investment component rates, the value of leased equipment, if unknown by the contractor, may be estimated by the department using previous department of general administration appraisals as a data base. The estimated value may be adjusted using the Marshall and Swift Valuation Guide to reflect the value of the asset at the lessor's purchase acquisition date.

#### AMENDATORY SECTION (Amending Order 1613, filed 2/25/81)

WAC 388-96-569 RETIREMENT OF DEPRECIABLE ASSETS. (1) Where depreciable assets are disposed of through sale, trade-in, scrapping, exchange, theft, wrecking, or fire or other casualty, depreciation shall no longer be taken on the assets. No further depreciation shall be taken on permanently abandoned assets.

(2) Where an asset has been retired from active use but is being held for stand-by or emergency service, and the department has determined that it is needed and can be effectively used in the future, depreciation may be taken.

(3) For rate setting effective July 1, 1991 and following, if there is a sale or capitalized lease of some or all of a nursing facility's tangible or intangible assets, including, but not limited to, land, building, equipment, supplies, goodwill and beds authorized by certificate of need, the

department shall recover actual depreciation reimbursement paid to all Medicaid contractors utilizing the assets during the period the assets were owned by the seller or capitalized lessor. However, the department shall recover depreciation reimbursement only to the extent there was a gain on sale as defined and described in this chapter and only to the extent the department is able to determine such prior depreciation reimbursement from departmental or other records.

(4) Recovery of depreciation reimbursement as authorized in this section shall apply to all transfers of assets by sale or capitalized lease occurring on or after July 1, 1991 and before September 1, 1991, unless pursuant to an enforceable agreement in place prior to July 1, 1991. For transfers of assets by sale or capitalized lease occurring on or after September 1, 1991, recovery of depreciation as authorized in this section shall apply regardless of when a prior enforceable or unenforceable agreement may have been signed.

(5) Subject to subsection (7) of this section, recovery of depreciation reimbursement shall be from the buyer in the case of a sale or from the lessee in the case of a capitalized lease, whether or not such buyer or capitalized lessee subsequently operates the nursing facility or is a Medicaid contractor. If the buyer or capitalized lessee subsequently leases some or all of the assets to a related party or organization as defined in this chapter, the department may recover directly from such related party or organization. The total amount subject to recovery shall be due and payable immediately after the transfer of the assets by sale or capitalized lease. However, the department may establish a repayment schedule to recover depreciation reimbursement for a period not to exceed six months after the date of transfer.

(6) If repayment is not made immediately or commenced and maintained in accordance with a repayment schedule agreeable to the department, the department shall deduct the recovery from the monthly payments, if any, for Medicaid services made to the buyer or capitalized lessee or from payments, if any, made to a contractor related to the buyer or capitalized lessee.

(7) The department may utilize all means authorized by law to recover and secure the recovery of depreciation reimbursement and, if recovery from the buyer or capitalized lessee or from a related party or organization is not feasible or successful in whole or in part, the department shall recover depreciation reimbursement from the seller or capitalized lessor, who, along with the buyer or capitalized lessee, shall be jointly and severally liable for the recovery.

(8) In calculating gain on sale in the case of a sale, sales price shall be the total actual price charged for all the assets. In the case of a capitalized lease, for the purpose of calculating gain on sale for recovery of depreciation reimbursement only, sales price of the leased assets shall be imputed as the present value of the lease payments over the term of the lease, discounted at the state average borrowing rate in effect at the inception of the lease.

(9) In calculating gain on sale, net book value shall be the valuation assigned to the assets immediately prior to the time of the sale or capitalized lease for determining Medicaid reimbursement, whether such assets were owned or leased by the contractor. If a Medicaid contract does not exist immediately prior to the sale or capitalized lease, net book value shall be the valuation assigned to the assets for determining Medicaid reimbursement at the termination of the most recent Medicaid contract, whether such assets were owned or leased by the contractor.

(10) The depreciation base of depreciable assets and the cost basis of nondepreciable assets for all partial or whole Medicaid rate periods after a sale or capitalized lease shall be established or continued in accordance with the provisions of this chapter. Neither shall be adjusted to reflect any liability for recovery of depreciation reimbursement. Upon request, the department shall provide to any prospective buyer or seller or to any prospective capitalized lessee or lessor of nursing facility assets the total depreciation reimbursement paid to all Medicaid contractors while the assets were owned by the seller or capitalized lessor and shall provide the current or most recent net book value of the assets used for Medicaid reimbursement purposes.

#### AMENDATORY SECTION (Amending Order 2970, filed 4/17/90, effective 5/18/90)

WAC 388-96-585 UNALLOWABLE COSTS. (1) The department shall not allow costs if not documented, necessary, ordinary, and related to the provision of care services to authorized patients.

(2) The department shall include, but not limit unallowable costs to the following:

(a) Costs of items or services not covered by the medical care program. Costs of nonprogram items or services even if indirectly reimbursed by the department as the result of an authorized reduction in patient contribution;

(b) Costs of services and items provided to SNF or ICF recipients covered by the department's medical care program but not included in SNF or ICF services respectively. Items and services covered by the medical care program are listed in chapters 388-86 and 388-88 WAC;

(c) Costs associated with a capital expenditure subject to Section 1122 approval (Part 100, Title 42 C.F.R.) if the department found the capital expenditure inconsistent with applicable standards, criteria, or plans. If the contractor did not give the department timely notice of a proposed capital expenditure, all associated costs shall be nonallowable as of the date the costs are determined not to be reimbursable under applicable federal regulations;

(d) Costs associated with a construction or acquisition project requiring certificate of need approval pursuant to chapter 70.38 RCW if such approval was not obtained;

(e) Costs of outside activities (e.g., costs allocable to the use of a vehicle for personal purposes or related to the part of a facility leased out for office space);

(f) Salaries or other compensation of owners, officers, directors, stockholders, and others associated with the contractor or home office, except compensation paid for service related to patient care;

(g) Costs in excess of limits or violating principles set forth in this chapter;

(h) Costs resulting from transactions or the application of accounting methods circumventing the principles of the prospective cost-related reimbursement system;

(i) Costs applicable to services, facilities, and supplies furnished by a related organization in excess of the lower of the cost to the related organization or the price of comparable services, facilities, or supplies purchased elsewhere;

(j) Bad debts. Beginning July 1, 1983, the department shall allow bad debts of Title XIX recipients only if:

(i) The debt is related to covered services;

(ii) It arises from the recipient's required contribution toward the cost of care;

(iii) The provider can establish reasonable collection efforts were made;

(iv) The debt was actually uncollectible when claimed as worthless; and

(v) Sound business judgment established there was no likelihood of recovery at any time in the future.

Reasonable collection efforts shall consist of three documented attempts by the contractor to obtain payment. Such documentation shall demonstrate the effort devoted to collect the bad debts of Title XIX recipients is at the same level as the effort normally devoted by the contractor to collect the bad debts of non-Title XIX patients. Should a contractor collect on a bad debt, in whole or in part, after filing a cost report, reimbursement for the debt by the department shall be refunded to the department to the extent of recovery. The department shall compensate a contractor for bad debts of Title XIX recipients at final settlement through the final settlement process only.

(k) Charity and courtesy allowances;

(l) Cash, assessments, or other contributions, excluding dues, to charitable organizations, professional organizations, trade associations, or political parties, and costs incurred to improve community or public relations. Any portion of trade association dues attributable to legal and consultant fees and costs in connection with lawsuits or other legal action against the department shall be unallowable;

(m) Vending machine expenses;

(n) Expenses for barber or beautician services not included in routine care;

(o) Funeral and burial expenses;

(p) Costs of gift shop operations and inventory;

(q) Personal items such as cosmetics, smoking materials, newspapers and magazines, and clothing, except items used in patient activity programs where clothing is a part of routine care;

(r) Fund-raising expenses, except expenses directly related to the patient activity program;

(s) Penalties and fines;

(t) Expenses related to telephones, televisions, radios, and similar appliances in patients' private accommodations;

(u) Federal, state, and other income taxes;

(v) Costs of special care services except where authorized by the department;

(w) Expenses of key-man insurance and other insurance or retirement plans not in fact made available to all employees on an equal or fair basis in terms of costs to employees and benefits commensurate to such costs;

(x) Expenses of profit-sharing plans;

(y) Expenses related to the purchase and/or use of private or commercial airplanes which are in excess of what a prudent contractor would expend for the ordinary and economic provision of such a transportation need related to patient care;

(z) Personal expenses and allowances of owners or relatives;

(aa) All expenses of maintaining professional licenses or membership in professional organizations;

(bb) Costs related to agreements not to compete;

(cc) Goodwill and amortization of goodwill;

(dd) Expense related to vehicles which are in excess of what a prudent contractor would expend for the ordinary and economic provision of transportation needs related to patient care;

(ee) Legal and consultant fees in connection with a fair hearing against the department relating to those issues where:

(i) A final administrative decision is rendered in favor of the department or where otherwise the determination of the department stands at the termination of administrative review; or

(ii) In connection with a fair hearing, a final administrative decision has not been rendered; or

(iii) In connection with a fair hearing, related costs are not reported as unallowable and identified by fair hearing docket number in the period they are incurred if no final administrative decision has been rendered at the end of the report period; or

(iv) In connection with a fair hearing, related costs are not reported as allowable, identified by docket number, and prorated by the number of issues decided favorably to a contractor in the period a final administrative decision is rendered.

(ff) Legal and consultant fees in connection with a lawsuit against the department, including suits which are appeals of administrative decisions;

(gg) Lease acquisition costs and other intangibles not related to patient care;

(hh) Interest charges assessed by the state of Washington for failure to make timely refund of overpayments and interest expenses incurred for loans obtained to make such refunds;

(ii) Beginning January 1, 1985, lease costs, including operating and capital leases, except for office equipment operating lease costs;

(jj) Beginning January 1, 1985, interest costs;

(kk) Travel expenses outside the states of Idaho, Oregon, and Washington, and the Province of British Columbia. However, travel to or from the home or central office of a chain organization operating a nursing home will be allowed whether inside or outside these areas if such travel is necessary, ordinary, and related to patient care;

(ll) Board of director fees for services in excess of one hundred dollars per board member, per meeting, not to exceed twelve meetings per year;

(mm) Moving expenses of employees in the absence of a demonstrated, good-faith effort to recruit within the states of Idaho, Oregon, and Washington, and the Province of British Columbia;

(nn) Depreciation expense in excess of twenty-five hundred dollars per year for passenger cars or other vehicles primarily used for the administrator, facility staff, or central office staff;

(oo) Any costs associated with the use of temporary health care personnel from any nursing pool not registered with the director of the department of licensing at the time of such pool personnel use;

(pp) Costs of payroll taxes associated with compensation in excess of allowable compensation for owners, relatives, and administrative personnel;

(qq) Department-imposed postsurvey charges incurred by the facility as a result of subsequent inspections which occur beyond the first postsurvey visit during the certification survey calendar year;

(rr) Costs and fees otherwise allowable for legal services, whether purchased, allocated by a home office, regional office or management company, or performed by the contractor or employees of the contractor, in excess of the eighty-fifth percentile of such costs, measured on a total cost basis, reported by all contractors for the most recent cost report period: PROVIDED, That this limit shall not apply to a contractor unless the contractor has exceeded this percentile for each of the three years preceding the most recent cost report year;

(ss) Costs and fees otherwise allowable for accounting and book-keeping services, whether purchased, allocated by a home office, regional office or management company, or performed by the contractor



or employees of the contractor, in excess of the eighty-fifth percentile of such costs, measured on a per patient-day cost basis, reported by all contractors for the most recent cost report period, provided this limit shall not apply to a contractor unless the contractor has exceeded this percentile for each of the three years preceding the most recent cost report year; and

(tt) For all partial or whole rate periods after July 17, 1984, costs of assets, including all depreciable assets and land, which cannot be reimbursed under the provisions of the Deficit Reduction Act of 1984 (DEFRA) and state statutes and regulations implementing DEFRA.

(uu) Effective for July 1, 1991, and all following rates, compensation paid for any purchased nursing care services, including registered nurse, licensed practical nurse, and nurse assistant services, obtained through service contract arrangement in excess of the amount of compensations which would have been paid for such hours of nursing care services had they been paid at the average hourly wage, including related taxes and benefits, for in-house nursing care staff of like classification at the same nursing facility, as reported in the most recent cost report period.

#### AMENDATORY SECTION (Amending Order 3185, filed 5/31/91, effective 7/1/91)

WAC 388-96-722 NURSING SERVICES COST AREA RATE. (1) The department shall pay the nursing services cost area reimbursement rate for the necessary and ordinary costs of providing routine nursing and related care to recipients. The cost of one-to-one care shall include care provided by qualified therapists and their employees only to the extent the costs are not covered by Medicare, part B, or any other coverage.

(2) The department shall subject nursing service costs to two reasonableness tests:

- (a) A test for nursing staff hours; and
- (b) A test for cost increases between the current and preceding report period.

(3) The test for nursing staff hours referenced in subsection (2)(a) of this section shall use a regression of hours reported by facilities for registered nurses, licensed practical nurses, and nurses' assistants, including:

- (a) Purchased and allocated nursing and assistant staff time; and
- (b) The average Battelle patient debility score for the corresponding facilities as computed by the department. The department shall take data for the regression from:

- (i) Correctly completed cost reports; and
- (ii) Patient assessments completed by the department for the corresponding calendar report year and available at the time the regression equation is computed. Effective January 1, 1988, the department shall not include the hours associated with off-site or class room training of nursing assistants and the supervision of such training for nursing assistants in the test for nursing staff hours. The department shall calculate and set for each facility a limit on nursing and nursing assistant staffing hours at predicted staffing hours plus 1.75 standard errors, utilizing the regression equation calculated by the department. The department shall reduce costs for facilities with reported hours exceeding the limit by an amount equivalent to:

- (A) The hours exceeding the limit;
- (B) Times the average wage rate for nurses and assistants indicated on cost reports for the year in question, including benefits and payroll taxes allocated to such staff. The department shall provide contractors' reporting hours exceeding the limit the higher of their January 1983 patient care rate or the nursing services rate computed for them according to the provisions of this subsection, plus applicable inflation adjustments.

(4) The test for cost increases referenced in subsection (2)(b) of this section shall compare:

- (a) The percentage change in allowable nursing services cost for the facility between the most recent cost report period and the next prior cost report period, excluding actual cost incurred relating to, but not to exceed an amount equal to, any prospective rate revision granted under WAC 388-96-774 in each cost report year;

- (b) Against the percentage change in the medical care component of the consumer price index for all urban consumers between July of the most recent cost report period and July of the next prior cost report period. The department shall limit facilities reporting increases greater than the medical care component of the consumer price index to a rate determined by their adjusted patient care costs for the period immediately preceding the most recent cost report period, inflated by the medical care component of the consumer price index.

(5) In calculating and applying the test for cost increases, the department shall measure the allowable nursing services cost increase between the most recent and the next prior cost report periods on a total cost basis and on a per-patient-day cost basis only. The department shall utilize for each contractor the basis showing the lesser increase.

(6) For all rates effective after June 30, 1991, nursing services costs, as reimbursed within this chapter and as tested for reasonableness within this section, shall not include costs of any purchased nursing care services, including registered nurse, licensed practical nurse, and nurse assistant services, obtained through service contract arrangement (commonly referred to as "nursing pool" services), in excess of the amount of compensation which would have been paid for such hours of nursing care service had they been paid at the average hourly wage, including related taxes and benefits, for in-house nursing care staff of like classification at the same nursing facility, as reported in the most recent cost report period.

(7) The department shall suspend application of the cost increase limitation, authorized by subsections (2)(b) and (4) of this section, for the July 1, 1991, through June 30, 1992, rate period only. The limitations shall remain in effect for all other rate periods and the suspension shall not affect application of the nursing hours lid, authorized by subsections (2)(a) and (3) of this section, which shall remain in effect for all rate periods.

#### AMENDATORY SECTION (Amending Order 2742 [2970], filed 12/21/88 [4/17/90])

WAC 388-96-754 A CONTRACTOR'S RETURN ON INVESTMENT. (1) The department shall establish for individual Medicaid facilities return on investment allowances composed of a financing allowance and a variable return allowance.

(2) The department shall determine the financing allowance by:

- (a) Multiplying the net invested funds of each facility by ((eleven)) ten percent and dividing by the contractor's total patient days effective for July 1, 1991, and all following rate settings. Annual patient days taken from the contractor's cost report for the most recent twelve-month cost report period will be used. If the cost report covers less than twelve months, the department will estimate annual patient days and working capital costs for a full year based upon data in the cost report. If a capitalized addition or retirement of an asset results in a different licensed bed capacity during the ensuing period, the department shall adjust the prior period total patient days used in computing the financing and variable return allowances to anticipated patient day level; and

- (b) In computing the portion of net invested funds representing the net book value of tangible fixed assets, the same assets, depreciation bases, lives, and methods referred to in this chapter, including owned and leased assets, shall be used, except the capitalized cost of land upon which a facility is located and other such contiguous land which is reasonable and necessary for use in the regular course of providing patient care shall also be included. As such, subject to provisions contained in this chapter, capitalized cost of leased land, regardless of the type of lease, shall be the lessor's historical capitalized cost. Subject to provisions contained in this chapter, for land purchases before July 18, 1984 (the enactment date of the Deficit Reduction Act of 1984 (DEFRA)), capitalized cost of land shall be the buyer's capitalized cost. For all partial or whole rate periods after July 17, 1984, if the land ((purchases)) is purchased on or after July 18, 1984, capitalized cost of land shall be that of the owner of record on July 17, 1984, or buyer's capitalized cost, whichever is lower. In the case of leased facilities where the net invested funds are unknown or the contractor is unable or unwilling to provide necessary information to determine net invested funds, the department may determine an amount to be used for net invested funds based upon an appraisal conducted by the department of general administration per this chapter.

(3) The department shall determine the variable return allowance according to the following procedure:

- (a) The department shall rank all facilities in numerical order from highest to lowest based upon average per diem allowable costs for the sum of the administration and operations and property cost centers for the preceding cost report period. In the case of a new contractor, property and administration and operations cost levels actually used to set the initial rate shall be used for the purpose of ranking the new contractor. The department shall adjust the new contractor's costs to the cost year used to establish the most recent variable return ranking for all providers using inflation factors authorized by provisions of this chapter.

(b) The department shall compute the variable return allowance by multiplying the total prospective rate for each facility by the appropriate percentage which shall not be less than one percent nor greater than four percent. The department shall divide the facilities ranked according to subsection (3)(a) of this section into four groups, from highest to lowest, with an equal number of facilities in each group or nearly equal as is possible. The department shall assign facilities in the highest quarter a percentage of one, in the second highest quarter a percentage of two, in the third highest quarter a percentage of three, and in the lowest quarter a percentage of four. The per patient day variable return allowance in the initial rate of a new contractor shall be the same as that in the rate of the preceding contractor, if any.

(4) The sum of the financing allowance and the variable return allowance shall be the return on investment for each facility and shall be added to the prospective rate for each facility.

(5) If a facility is leased by a contractor as of January 1, 1980, in an arm's-length agreement, which continues to be leased under the same lease agreement as defined in this chapter, and for which the annualized lease payment, plus any interest and depreciation expenses of contractor-owned assets, for the period covered by the prospective rates, divided by the contractor's total patient days, minus the property cost center determined according to this chapter, is more than the return on investment allowance determined according to this section, the following shall apply:

(a) The financing allowance shall be recomputed substituting the fair market value of the assets, as of January 1, 1982, determined by department of general administration appraisal less accumulated depreciation on the lessor's assets since January 1, 1982, for the net book value of the assets in determining net invested funds for the facility. Said appraisal shall be final unless shown to be arbitrary and capricious.

(b) The sum of the financing allowance computed under this subsection and the variable return allowance shall be compared to the annualized lease payment, plus any interest and depreciation expenses of contractor-owned assets, for the period covered by the prospective rates, divided by the contractor's total patient days, minus the property cost center rate determined according to this chapter. The lesser of the two amounts shall be called the alternate return on investment allowances.

(c) The return on investment allowance determined in accordance with subsections (1), (2), (3), and (4) of this section or the alternate return on investment allowance, whichever is greater, shall be the return on investment allowance for the facility and shall be added to the prospective rate of the facility.

(d) In the case of a facility leased by the contractor as of January 1, 1980, in an arm's-length agreement, if the lease is renewed or extended pursuant to a provision of the lease agreement existing on January 1, 1980, the treatment provided in subsection (5)(a) of this section shall be applied except that in the case of renewals or extensions made on or subsequent to April 1, 1985, per a provision of the lease agreement existing on January 1, 1980, reimbursement for the annualized lease payment shall be no greater than the reimbursement for the annualized lease payment for the last year prior to the renewal or extension of the lease.

(6) The information from the two prior reporting periods used to set the two prospective return on investment rates in effect during the settlement year is subject to field audit. If the financing allowances which can be documented and calculated at audit of the prior periods are different than the prospective financing allowances previously determined by desk-reviewed, reported information, and other relevant information, the prospective financing allowances shall be adjusted to the audited level at final settlement of the year the rates were in effect, except the adjustments shall reflect a minimum bed occupancy level of eighty-five percent. Any adjustments to the financing allowances pursuant to this subsection shall be for settlement purposes only. However, the variable return allowances shall be the prospective allowances determined by desk-reviewed, reported information, and other relevant information and shall not be adjusted to reflect prior-period audit findings.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**WSR 91-17-089**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Order 3237—Filed August 21, 1991, 4:03 p.m., effective August 21, 1991, 4:03 p.m.]

Date of Adoption: August 21, 1991.

Purpose: WAC 388-96-010, to provide a definition of "gain on sale" for the purpose of depreciation reimbursement recovery; WAC 388-96-023, to require as a condition of participation in Medicaid that a nursing facility have at least 15% of its beds certified for Medicare participation; WAC 388-96-507, to clarify that ordinary and necessary costs of providing care and meeting standards are not allowable if they are expressly declared unallowable elsewhere in the chapter; WAC 388-96-559, to further clarify that both land and depreciable assets are subject to appraisal limitations for all rate periods after December 31, 1984. To further clarify that both land and depreciable assets are prohibited from being revalued upward for all partial or whole rate periods after July 17, 1984, for changes of ownership after this date; WAC 388-96-569, to provide for recovery of prior depreciation reimbursement to the extent there is a gain on sale of nursing facility assets resulting from a sale or capitalized lease. To clarify there will be no adjustment of depreciation base or cost basis for the buyer or capitalized lessee in the event of recapture; WAC 388-96-585, to further clarify the cost of land and depreciable assets, which cannot be reimbursed under the Deficit Reduction Act of 1984 (DEFRA) and state statutory and regulatory provisions, for sales on or after July 18, 1984, are unallowable for all partial or whole rate periods after July 17, 1984. To provide that costs of nursing "pool services" (temporary nursing services purchased under contract) are unallowable to the extent they exceed what the services would have cost for the same services at in-house nursing wages at the same facility for the same category of health care worker; WAC 388-96-722, to provide for the nonreimbursement of costs of temporary nursing services ("pool services") to the extent they exceed the cost of such services had they been performed by in-house staff at the facility. To provide for the exclusion of such excess costs from nursing costs for the purpose of measuring year-to-year nursing cost increases in calculating and applying the nursing cost increase lid and from converting excess nursing hours to costs in computing the hours lid. To provide for the suspension of the nursing cost increase lid for state fiscal year 1992 only (July 1, 1991, to June 30, 1992, rate setting); and WAC 388-96-754, to reduce the financing allowance from 11% to 10% of net invested funds. To further clarify that the cost basis of land as well as the depreciation base of depreciable assets cannot be increased for reimbursement purposes for all changes of ownership on or after July 18, 1984, for all partial or whole rate periods after July 17, 1984. To further clarify the cost basis of leased land shall be lessor's historical capitalized cost, regardless of whether the lease is capitalized or not.

Citation of Existing Rules Affected by this Order:  
Amending chapter 388-96 WAC, Nursing home—Accounting—Reimbursement.

Statutory Authority for Adoption: WAC 388-96-010, 388-96-023, 388-96-507, 388-96-559 and 388-96-585 is RCW 74.09.120; WAC 388-96-722 is RCW 74.09.180 and 74.46.800; and WAC 388-96-569 and 388-96-754 is RCW 74.09.120 and 74.46.800.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: WAC 388-96-010, comply with new 1991 state legislation effective July 1, 1991, (EHB 1890, Sec 11); WAC 388-96-023, comply with new 1991 state legislation effective July 1, 1991, (EHB 1890, Sec 13); WAC 388-96-507, comply with new 1991 clarifying state legislation effective July 1, 1991, (EHB 1890, Sec 14); WAC 388-96-559, comply with new 1991 clarifying state legislation effective retroactively to December 31, 1984, and July 17, 1984, (EHB 1890, Sec 18); WAC 388-96-569, comply with new 1991 state legislation effective July 1, 1991 (EHB 1890, Sec 12); WAC 388-96-585, comply with new 1991 clarifying state legislation effective retroactively to July 17, 1991, and comply with new state legislation effective July 1, 1991, (EHB 1890, Sec 15); WAC 388-96-722, comply with new 1991 state legislation effective July 1, 1991 (EHB 1890, Sec 16); and WAC 388-96-754, comply with new 1991 clarifying state legislation effective retroactively to July 17, 1984. Comply with new 1991 state legislation effective July 1, 1991, (EHB 1890, Sec 17).

Effective Date of Rule: August 22, 1991, 12:01 a.m.

August 21, 1991

Leslie F. James, Director  
Administrative Services

**AMENDATORY SECTION** (Amending Order 2970, filed 4/17/90, effective 5/18/90)

WAC 388-96-010 **TERMS.** Unless the context clearly requires otherwise, the following terms shall have the meaning set forth in this section when used in this chapter.

(1) "Accounting" means activities providing information, usually quantitative and often expressed in monetary units, for:

- (a) Decision-making;
- (b) Planning;
- (c) Evaluating performance;
- (d) Controlling resources and operations; and
- (e) External financial reporting to investors, creditors, regulatory authorities, and the public.

(2) "Accrual method of accounting" means a method of accounting in which revenues are reported in the period when earned, regardless of when collected, and expenses are reported in the period in which incurred, regardless of when paid.

(3) "Administration and management" means activities employed to maintain, control, and evaluate the efforts and resources of an organization for the accomplishment of the objectives and policies of that organization.

(4) "Allowable costs" - See WAC 388-96-501.

(5) "Ancillary care" means services required by the individual, comprehensive plan of care provided by qualified therapists or by support personnel under their supervision.

(6) "Arm's-length transaction" means a transaction resulting from good-faith bargaining between a buyer and seller who have adverse bargaining positions in the marketplace.

(a) Sales or exchanges of nursing home facilities among two or more parties in which all parties subsequently continue to own one or more of the facilities involved in the transactions shall not be considered as arm's-length transactions for purposes of this chapter.

(b) Sale of a nursing home facility which is subsequently leased back to the seller within five years of the date of sale shall not be considered as an arm's-length transaction for purposes of this chapter.

(7) "Assets" means economic resources of the contractor, recognized and measured in conformity with generally accepted accounting principles. "Assets" also include certain deferred charges that are not resources but are recognized and measured in accordance with generally accepted accounting principles.

(8) "Bad debts" means amounts considered to be uncollectable from accounts and notes receivable.

(9) "Beds" means, unless otherwise specified, the number of set-up beds in the nursing home, not to exceed the number of licensed beds.

(10) "Beneficial owner" means any person who:

(a) Directly or indirectly, through any contract, arrangement, understanding, relationship, or otherwise has or shares:

(i) Voting power which includes the power to vote, or to direct the voting of such ownership interest; and/or

(ii) Investment power which includes the power to dispose, or to direct the disposition of such ownership interest.

(b) Directly or indirectly, creates or uses a trust, proxy, power of attorney, pooling arrangement, or any other contract, arrangement, or device with the purpose or effect of divesting himself or herself of beneficial ownership of an ownership interest, or preventing the vesting of such beneficial ownership as part of a plan or scheme to evade the reporting requirements of this chapter.

(c) Subject to subsection (4) of this section, has the right to acquire beneficial ownership of such ownership interest within sixty days, including but not limited to any right to acquire:

(i) Through the exercise of any option, warrant, or right;

(ii) Through the conversion of an ownership interest;

(iii) Pursuant to the power to revoke a trust, discretionary account, or similar arrangement; or

(iv) Pursuant to the automatic termination of a trust, discretionary account, or similar arrangement;

Except that, any person who acquires an ownership interest or power specified in subsection (10)(c)(i), (ii), or (iii) of this section with the purpose or effect of changing or influencing the control of the contractor, or in connection with or as a participant in any transaction having such purpose or effect, immediately upon such acquisition shall be deemed to be the beneficial owner of the ownership interest which may be acquired through the exercise or conversion of such ownership interest or power.

(d) In the ordinary course of business, is a pledgee of ownership interest under a written pledge agreement and shall not be deemed the beneficial owner of such pledged ownership interest until the pledgee takes:

(i) Formal steps necessary required to declare a default; and

((~~(ii)~~)) (ii) Determines the power to vote or to direct the vote or to dispose or to direct the disposition of such pledged ownership interest will be exercised provided the pledge agreement:

(A) Is bona fide and was not entered into with the purpose nor with the effect of changing or influencing the control of the contractor, nor in connection with any transaction having such purpose or effect, including persons meeting the conditions set forth in subsection (10)(b) of this section; and

(B) Prior to default, does not grant the pledgee the power to:

(I) Vote or direct the vote of the pledged ownership interest; or

(II) Dispose or direct the disposition of the pledged ownership interest, other than the grant of such power or powers pursuant to a pledge agreement under which credit is extended and in which the pledgee is a broker or dealer.

(11) "Capitalization" means the recording of an expenditure as an asset.

(12) "Capitalized lease" means a lease required to be recorded as an asset and associated liability in accordance with generally accepted accounting principles.

(13) "Cash method of accounting" means a method of accounting in which revenues are recognized only when cash is received, and expenditures for expense and asset items are not recorded until cash is disbursed for those expenditures and assets.

(14) "Change of ownership" means a change in the individual or legal organization responsible for the daily operation of a nursing home.

(a) Events which change ownership include but are not limited to the following:

(i) The form of legal organization of the contractor is changed (e.g., a sole proprietor forms a partnership or corporation);

(ii) Title to the nursing home business enterprise is transferred by the contractor to another party;

(iii) Where the contractor is a partnership, any event occurs which dissolves the partnership;

(iv) Where the contractor is a corporation, the corporation is dissolved, merges with another corporation which is the survivor, or consolidates with one or more other corporations to form a new corporation; or

(v) Any other event occurs which results in a change of operating entity.

(b) Ownership does not change when the following, without more, occur:

(i) A party contracts with the contractor to manage the enterprise as the contractor's agent, i.e., subject to the contractor's general approval of daily operating decisions;

(ii) If the contractor is a corporation, some or all of its stock is transferred; or

(iii) The real property or personal property assets associated with the nursing home change ownership or are leased, or a lease of them is terminated, without a change of operating entity.

(15) "Charity allowances" means reductions in charges made by the contractor because of the indigence or medical indigence of a patient.

(16) "Contract" means a contract between the department and a contractor for the delivery of SNF or ICF services to medical care recipients.

(17) "Contractor" means an entity which contracts with the department to deliver care services to medical care recipients in a facility. The entity is responsible for operational decisions.

(18) "Courtesy allowances" means reductions in charges in the form of an allowance to physicians, clergy, and others, for services received from the contractor. Employee fringe benefits are not considered courtesy allowances.

(19) "CSO" means the local community services office of the department.

(20) "Department" means the department of social and health services (DSHS) and employees.

(21) "Depreciation" means the systematic distribution of the cost or other base of tangible assets, less salvage, over the estimated useful life of the assets.

(22) "Donated asset" means an asset the contractor acquired without making any payment for the asset in the form of cash, property, or services.

(a) An asset is not a donated asset if the contractor made even a nominal payment in acquiring the asset.

(b) An asset purchased using donated funds is not a donated asset.

(23) "Entity" means an individual, partnership, corporation, or any other association of individuals capable of entering enforceable contracts.

(24) "Equity capital" means total tangible and other assets which are necessary, ordinary, and related to patient care from the most recent provider cost report minus related total long-term debt from the most recent provider cost report plus working capital as defined in this section.

(25) "Exceptional care recipient" means a medical care recipient determined by the department to require exceptionally heavy care.

(26) "Facility" means a nursing home licensed in accordance with chapter 18.51 RCW, or that portion of a hospital licensed in accordance with chapter 70.41 RCW which operates as a nursing home.

(27) "Fair market value" means:

(a) Prior to January 1, 1985, the price for which an asset would have been purchased on the date of acquisition in an arm's-length transaction between a well-informed buyer and seller, neither being under any compulsion to buy or sell, or

(b) Beginning January 1, 1985, the replacement cost of an asset, less observed physical depreciation, on the date the fair market value is determined.

(28) "Financial statements" means statements prepared and presented in conformity with generally accepted accounting principles and the provisions of chapter 74.46 RCW and this chapter including, but not limited to:

- (a) Balance sheet;
- (b) Statement of operations;
- (c) Statement of changes in financial position; and
- (d) Related notes.

(29) "Fiscal year" means the operating or business year of a contractor. All contractors report on the basis of a twelve-month fiscal year, but provision is made in this chapter for reports covering abbreviated fiscal periods.

(30) "Gain on sale" means the actual or imputed total sales price of all tangible or intangible nursing home assets including, but not limited to, land, building, equipment, supplies, goodwill and beds authorized by certificate of need, minus the net book value of such assets assigned for Medicaid reimbursement purposes immediately prior to the time of sale or capitalized lease of some or all of such assets. If there is no Medicaid contract immediately prior to the time of sale or capitalized lease, the net book value shall be that assigned for Medicaid reimbursement purposes at the termination of the most recent Medicaid contract.

(31) "Generally accepted accounting principles (GAAP)" means accounting principles approved by the Financial Accounting Standards Board (FASB).

~~((31))~~ (32) "Generally accepted auditing standards (GAAS)" means auditing standards approved by the American Institute of Certified Public Accountants (AICPA).

~~((32))~~ (33) "Goodwill" means the excess of the price paid for:

- (a) A business over the fair market value of all other identifiable, tangible, and intangible assets acquired; and
- (b) An asset over the fair market value of the asset.

~~((33))~~ (34) "Historical cost" means the actual cost incurred in acquiring and preparing an asset for use, including feasibility studies, architects' fees, and engineering studies.

~~((34))~~ (35) "ICF" means:

- (a) An intermediate care facility when referring to a nursing home;
- (b) When referring to a level of care, intermediate care; and
- (c) When referring to a patient, a patient requiring intermediate care.

~~((35))~~ (36) "Imprest fund" means a fund which is regularly replenished in exactly the amount expended from it.

~~((36))~~ (37) "Interest" means the cost incurred for the use of borrowed funds, generally paid at fixed intervals by the user.

~~((37))~~ (38) "Intermediate care facility" means a licensed facility certified to deliver intermediate care services to medical care recipients.

~~((38))~~ (39) "Joint facility costs" means any costs representing expenses incurred which benefit more than one facility, or one facility and any other entity.

~~((39))~~ (40) "Lease agreement" means a contract between two parties for the possession and use of real or personal property or assets for a specified period of time in exchange for specified periodic payments. Elimination or addition of any party to the contract, expiration, or modification of any lease term in effect on January 1, 1980, or termination of the lease by either party by any means shall constitute a termination of the lease agreement. An extension or renewal of a lease agreement, whether or not pursuant to a renewal provision in the lease agreement, shall be considered a new lease agreement. A strictly formal change in the lease agreement which modifies the method, frequency, or manner in which the lease payments are made, but does not increase the total lease payment obligation of the lessee shall not be considered modification of a lease term.

~~((40))~~ (41) "Levels of care" means the classification of types of services provided to patients by a contractor, e.g., skilled nursing care or intermediate care.

~~((41))~~ (42) "Medical care program" means medical assistance provided under RCW 74.09.500 or authorized state medical care services.

~~((42))~~ (43) "Medical care recipient" means an individual determined eligible by the department for the services provided in chapter 74.09 RCW.

~~((43))~~ (44) "Multiservice facility" means a facility at which two or more types of health or related care are delivered, e.g., a hospital and SNF and/or ICF, or a boarding home and SNF and/or ICF. A combined SNF/ICF or ICF/IMR is not considered a multiservice facility.

~~((44))~~ (45) "Net book value" means the historical cost of an asset less accumulated depreciation.

~~((45))~~ (46) "Net invested funds" means the net book value of tangible fixed assets employed by a contractor to provide services under the medical care program, including land, buildings, and equipment as recognized and measured in conformity with generally accepted accounting principles and not in excess of any lids or reimbursement limits set forth in this chapter, plus an allowance for working capital which shall be five percent of the allowable costs of each contractor for the previous calendar year. Assets associated with central or home offices or otherwise not on the nursing home premises are not included in net invested funds.

~~((46))~~ (47) "Nonadministrative wages and benefits" means wages, benefits, and corresponding payroll taxes paid for nonadministrative personnel, not to include administrator, assistant administrator, or administrator-in-training.

~~((47))~~ (48) "Nonallowable costs" means same as "unallowable costs."

~~((48))~~ (49) "Nonrestricted funds" means funds which are not restricted to a specific use by the donor, e.g., general operating funds.

~~((49))~~ (50) "Nursing home" means a home, place, or institution, licensed under chapter 18.51 RCW, where skilled nursing and/or intermediate care services are delivered.

~~((50))~~ (51) "Operating lease" means a lease under which rental or lease expenses are included in current expenses in accordance with generally accepted accounting principles.

~~((51))~~ (52) "Owner" means a sole proprietor, general or limited partner, or beneficial interest holder of five percent or more of a corporation's outstanding stock.

~~((52))~~ (53) "Ownership interest" means all interests beneficially owned by a person, calculated in the aggregate, regardless of the form the beneficial ownership takes.

~~((53))~~ (54) "Patient day" means a calendar day of patient care. In computing calendar days of care, the day of admission is always counted. The day of discharge is counted only when the patient was admitted on the same day. A patient is admitted for purposes of this definition when the patient is assigned a bed and a patient medical record is opened.

~~((54))~~ (55) "Per diem (per patient day) costs" means total allowable costs for a fiscal period divided by total patient days for the same period.

~~((55))~~ (56) "Professionally designated real estate appraiser" means an individual:

(a) Regularly engaged in the business of providing real estate valuation services for a fee;

(b) Qualified by a nationally recognized real estate appraisal educational organization on the basis of extensive practical appraisal experience, including the:

(i) Writing of real estate valuation reports;

(ii) Passing of written examination on valuation practice and theory; and

(iii) Requirement to subscribe and adhere to certain standards of professional practice as the organization prescribes.

~~((56))~~ (57) "Prospective daily payment rate" means the rate assigned by the department to a contractor for providing service to medical care recipients. The rate is used to compute the maximum participation of the department in the contractor's costs.

~~((57))~~ (58) "Qualified therapist":

(a) An activities specialist having specialized education, training, or at least one year's experience in organizing and conducting structured or group activities;

(b) An audiologist eligible for a certificate of clinical competence in audiology or having the equivalent education and clinical experience;

(c) A mental health professional as defined by chapter 71.05 RCW;

(d) A mental retardation professional, either a qualified therapist or a therapist, approved by the department having specialized training or one year's experience in treating or working with the mentally retarded or developmentally disabled;

(e) A social worker graduated from a school of social work;

(f) A speech pathologist eligible for a certificate of clinical competence in speech pathology or having the equivalent education and clinical experience;

(g) A physical therapist as defined by chapter 18.74 RCW; or

(h) An occupational therapist graduated from a program in occupational therapy, or having the equivalent of education or training, and meeting all requirements of state law.

~~((58))~~ (59) "Recipient" means a medical care recipient.

~~((59))~~ (60) "Records" means data supporting all financial statements and cost reports including, but not limited to:

(a) All general and subsidiary ledgers;

(b) Books of original entry;

(c) Invoices;

(d) Schedules;

(e) Summaries; and

(f) Transaction documentation, however maintained.

~~((60))~~ (61) "Regression analysis" means a statistical technique through which one can analyze the relationship between a dependent or criterion variable and a set of independent or predictor variables.

~~((61))~~ (62) "Related care" includes:

(a) The director of nursing services;

(b) Activities and social services programs;

(c) Medical and medical records specialists; and

(d) Consultation provided by:

(i) Medical directors;

(ii) Pharmacists;

(iii) Occupational therapists;

(iv) Physical therapists;

(v) Speech therapists; and

(vi) Other therapists; and

(vii) Mental health professionals as defined in law and regulation.

~~((62))~~ (63) "Related organization" means an entity under common ownership and/or control, or which has control of or is controlled by, the contractor. Common ownership exists if an entity has a five percent or greater beneficial ownership interest in the contractor and any other entity. Control exists if an entity has the power, directly or indirectly, to significantly influence or direct the actions or policies of an organization or institution, whether or not the power is legally enforceable and however exercisable or exercised.

~~((63))~~ (64) "Relative" includes:

(a) Spouse;

(b) Natural parent, child, or sibling;

(c) Adopted child or adoptive parent;

(d) Stepparent, stepchild, stepbrother, stepsister;

(e) Father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law;

(f) Grandparent or grandchild; and

(g) Uncle, aunt, nephew, niece, or cousin.

~~((64))~~ (65) "Restricted fund" means a fund for which the use of the principal and/or income is restricted by agreement with or direction of the donor to a specific purpose, in contrast to a fund over which the contractor has complete control. Restricted funds generally fall into three categories:



(a) Funds restricted by the donor to specific operating purposes;

(b) Funds restricted by the donor for additions to property, plant, and equipment; and

(c) Endowment funds.

~~((65))~~ (66) "Secretary" means the secretary of the department of social and health services (DSHS).

~~((66))~~ (67) "Skilled nursing facility" means a licensed facility certified to deliver skilled nursing care services to medical care recipients.

~~((67))~~ (68) "SNF" means:

(a) When referring to a facility, a skilled nursing facility;

(b) When referring to a level of care, skilled nursing care; and

(c) When referring to a patient, a patient requiring skilled nursing care.

~~((68))~~ (69) "Start-up costs" means the one-time preopening costs incurred from the time preparation begins on a newly constructed or purchased building until the first patient is admitted. Start-up costs include:

(a) Administrative and nursing salaries;

(b) Utility costs;

(c) Taxes;

(d) Insurance;

(e) Repairs and maintenance; and

(f) Training costs.

Start-up costs do not include expenditures for capital assets.

~~((69))~~ (70) "Title XIX" means the 1965 amendments to the Social Security Act, P.L. 89-07, as amended.

~~((70))~~ (71) "Unallowable costs" means costs which do not meet every test of an allowable cost.

~~((71))~~ (72) "Uniform chart of accounts" means a list of account titles identified by code numbers established by the department for contractors to use in reporting costs.

~~((72))~~ (73) "Vendor number" means a number assigned to each contractor delivering care services to medical care recipients.

~~((73))~~ (74) "Working capital" means total current assets necessary, ordinary, and related to patient care from the most recent cost report minus total current liabilities necessary, ordinary, and related to patient care from the most recent cost report.

#### AMENDATORY SECTION (Amending Order 2025, filed 9/16/83)

WAC 388-96-023 **CONDITIONS OF PARTICIPATION.** In order to participate in the prospective cost-related reimbursement system, the person or legal organization responsible for operation of a nursing home or multiservice facility shall:

(1) Obtain a state certificate of need approval pursuant to chapter 70.38 RCW where required;

(2) Hold the appropriate current license (e.g., nursing home license, hospital license);

(3) Hold current Title XIX certification to provide SNF and/or ICF services;

(4) Hold a current contract to provide SNF and/or ICF services; and

(5) Obtain and continuously maintain Medicare certification, under 42 USC 1395 (Title XVIII of the Social Security Act), as amended, for no less than fifteen percent of the licensed beds of the facility.

(6) Comply with all provisions of the contract, chapter 74.46 RCW, and all applicable regulations, including but not limited to the provisions of this chapter and of chapter 388-88 WAC.

#### AMENDATORY SECTION (Amending Order 1712, filed 11/4/81)

WAC 388-96-507 **COSTS OF MEETING STANDARDS.** All documented costs that are ordinary, necessary and ~~((ordinary expenses))~~ related to the care of medical care recipients and are not expressly unallowable which a contractor incurs in providing care services meeting all applicable standards, will be allowable costs. The expenses include necessary and ordinary costs of:

(1) Meeting licensing and certification standards;

(2) Meeting standards of providing regular room, nursing, ancillary, and dietary services, in accordance with WAC 388-88-050 and ~~((388-88-051))~~;

(3) Fulfilling accounting and reporting requirements imposed by this chapter; and

(4) Performing any patient assessment activity required by the department.

#### AMENDATORY SECTION (Amending Order 2970, filed 4/17/90, effective 5/18/90)

WAC 388-96-559 **COST BASIS OF LAND AND DEPRECIATION BASE.** (1) For all ~~((rates effective on or after January 1, 1985))~~ partial or whole rate periods after December 31, 1984, the total depreciation base of depreciable assets and the cost basis of land shall be the lowest of:

(a) The contractor's appraisal, if any;

(b) The department's appraisal obtained through the department of general administration of the state of Washington, if any; or

(c) The historical purchase cost of the contractor, or lessor if the assets are leased by the contractor, in acquiring ownership of the asset in an arm's-length transaction, and preparing the asset for use, less goodwill, and less accumulated depreciation, if applicable, incurred during periods the assets have been used in or as a facility by any and all contractors. Such accumulated depreciation is to be measured in accordance with subsection (5) of this section and WAC 388-96-561, 388-96-565, and 388-96-567. Estimated salvage value shall be deducted from historical cost where the straight-line or sum-of-the-years digits method of depreciation is used.

(2) Unless otherwise provided or limited by this chapter or by chapter 74.46 RCW, the department shall, in determining the total depreciation base of a depreciable real or personal asset owned or leased by the contractor, deduct depreciation relating to all periods subsequent to the more recent of:

(a) The date such asset was first used in the medical care program; or

(b) The most recent date such asset was acquired in an arm's-length purchase transaction which the department is required to recognize for Medicaid cost reimbursement purposes.

No depreciation shall be deducted for periods such asset was not used in the medical care program or was not used to provide nursing care.

(3) The department may have the fair market value of the asset at the time of purchase established by appraisal through the department of general administration of the state of Washington if:

(a) The department challenges the historical cost of an asset; or

(b) The contractor cannot or will not provide the historical cost of a leased asset and the department is unable to determine such historical cost from its own records or from any other source.

The contractor may allocate or reallocate values among land, building, improvements, and equipment in accordance with the department's appraisal.

If an appraisal is conducted, the depreciation base of the asset and cost basis of land will not exceed the fair market value of the asset. An appraisal conducted by or through the department of general administration shall be final unless the appraisal is shown to be arbitrary and capricious.

(4) For leased assets, the department may examine documentation in its files or otherwise obtainable from any source to determine:

(a) The lessor's purchase acquisition date; or

(b) The lessor's historical cost at the time of the last arm's-length purchase transaction.

If the department is unable to determine the lessor's acquisition date by review of its records or other records, the department, in determining fair market value as of such date, may use the construction date of the facility, as found in the state fire marshal's records or other records, as the lessor's purchase acquisition date of leased assets.

(5) For all rate(~~s~~ effective on or after January 1, 1985) periods past or future, where depreciable assets or land are acquired from a related organization, the contractor's depreciation base and land cost basis shall not exceed the base and basis the related organization had or would have had under a contract with the department.

(6) If a contractor cannot or will not provide the lessor's purchase acquisition cost of assets leased by the contractor and the department is unable to determine historical purchase cost from another source, the appraised asset value of land, building, or equipment, determined by or through the department of general administration shall be adjusted, if necessary, by the department using the Marshall and Swift Valuation Guide to reflect the value at the lessor's acquisition date. If an appraisal has been prepared for leased assets and the assets subsequently sell in the first arm's-length transaction since January 1, 1980, under subsection (8) of this section, the Marshall and Swift Valuation Guide will be used to adjust, if necessary, the asset value determined by the appraisal to the sale date. If the assets are located in a city for which the Marshall and Swift Valuation

Guide publishes a specific index, or if the assets are located in a county containing that city, the city-specific index shall be used to adjust the appraised value of the asset. If the assets are located in a city or county for which a specific index is not calculated, the Western District Index calculated by Marshall and Swift shall be used.

(7) For all rates effective on or after January 1, 1985, if depreciable assets or land are acquired by purchase which were used in the medical care program on or after January 1, 1980, the depreciation base or cost basis of such assets shall not exceed the net book value existing at the time of such acquisition or which would have existed had the assets continued in use under the previous Medicaid contract with the department; except that depreciation shall not be accumulated for periods during which such assets were not used in the medical care program or were not in use in or as a nursing care facility.

(8)(a) Subsection (7) of this section shall not apply to the most recent arm's-length purchase acquisition if it occurs ten years or more after the previous arm's-length transfer of ownership nor shall subsection (7) of this section apply to the first arm's-length purchase acquisition of assets occurring on or after January 1, 1980, for facilities participating in the Medicaid program before January 1, 1980. The depreciation base or cost basis for such acquisitions shall not exceed the lesser of the fair market value as of the date of purchase of the assets determined by an appraisal conducted by or through the department of general administration or the owner's acquisition cost of each asset, land, building, or equipment. An appraisal conducted by or through the department of general administration shall be final unless the appraisal is shown to be arbitrary and capricious. Should a contractor request a revaluation of an asset, the contractor must document ten years have passed since the most recent arm's-length transfer of ownership. As mandated by Section 2314 of the Deficit Reduction Act of 1984 (P.L. 98-369) and state statutory amendments, and under RCW 74.46.840, for all partial or whole rate((s)) periods after July 17, 1984, this subsection is inoperative for any transfer of ownership of any asset, including land and all depreciable or nondepreciable assets, occurring on or after July 18, 1984, leaving subsection (7) of this section to apply without exception to acquisitions occurring on or after July 18, 1984, except as provided in subsections (8)(b) and (9) of this section.

(b) For all rates after July 17, 1984, subsection (8)(a) shall apply, however, to transfers of ownership of assets:

(i) Occurring before January 1, 1985, if the costs of such assets have never been reimbursed under Medicaid cost reimbursement on an owner-operated basis or as a related party lease; or

(ii) Under written and enforceable purchase and sale agreements dated before July 18, 1984, which are documented and submitted to the department before January 1, 1988.

(c) For purposes of Medicaid cost reimbursement under this chapter, an otherwise enforceable agreement to purchase a nursing home dated before July 18, 1984,



shall be considered enforceable even though the agreement contains:

(i) No legal description of the real property involved; or

(ii) An inaccurate legal description, notwithstanding the statute of frauds or any other provision of law.

(9)(a) In the case of land or depreciable assets leased by the same contractor since January 1, 1980, in an arm's-length lease, and purchased by the lessee/contractor, the lessee/contractor shall have the option to have the:

(i) Provisions of subsection (8) of this section apply to the purchase; or

(ii) Reimbursement for property and return on investment continue to be calculated under the provisions contained in RCW 74.46.530 (1)(e) and (f) and WAC 388-96-754(5). Reimbursement shall be based upon provisions of the lease in existence on the date of the purchase.

(b) The lessee/contractor may select the option in subsection (9)(a)(ii) of this section only when the purchase date meets one of the following criteria. The purchase date is:

(i) After the lessor has declared bankruptcy or has defaulted in any loan or mortgage held against the leased property;

(ii) Within one year of the lease expiration or renewal date contained in the lease;

(iii) After a rate setting for the facility in which the reimbursement rate set, under this chapter and under chapter 74.46 RCW, no longer is equal to or greater than the actual cost of the lease; or

(iv) Within one year of any purchase option in existence on January 1, 1988.

(10) For purposes of establishing the property and return on investment component rates, the value of leased equipment, if unknown by the contractor, may be estimated by the department using previous department of general administration appraisals as a data base. The estimated value may be adjusted using the Marshall and Swift Valuation Guide to reflect the value of the asset at the lessor's purchase acquisition date.

#### AMENDATORY SECTION (Amending Order 1613, filed 2/25/81)

WAC 388-96-569 **RETIREMENT OF DEPRECIABLE ASSETS.** (1) Where depreciable assets are disposed of through sale, trade-in, scrapping, exchange, theft, wrecking, or fire or other casualty, depreciation shall no longer be taken on the assets. No further depreciation shall be taken on permanently abandoned assets.

(2) Where an asset has been retired from active use but is being held for stand-by or emergency service, and the department has determined that it is needed and can be effectively used in the future, depreciation may be taken.

(3) For rate setting effective July 1, 1991 and following, if there is a sale or capitalized lease of some or all of a nursing facility's tangible or intangible assets, including, but not limited to, land, building, equipment, supplies, goodwill and beds authorized by certificate of need, the department shall recover actual depreciation

reimbursement paid to all Medicaid contractors utilizing the assets during the period the assets were owned by the seller or capitalized lessor. However, the department shall recover depreciation reimbursement only to the extent there was a gain on sale as defined and described in this chapter and only to the extent the department is able to determine such prior depreciation reimbursement from departmental or other records.

(4) Recovery of depreciation reimbursement as authorized in this section shall apply to all transfers of assets by sale or capitalized lease occurring on or after July 1, 1991 and before September 1, 1991, unless pursuant to an enforceable agreement in place prior to July 1, 1991. For transfers of assets by sale or capitalized lease occurring on or after September 1, 1991, recovery of depreciation as authorized in this section shall apply regardless of when a prior enforceable or unenforceable agreement may have been signed.

(5) Subject to subsection (7) of this section, recovery of depreciation reimbursement shall be from the buyer in the case of a sale or from the lessee in the case of a capitalized lease, whether or not such buyer or capitalized lessee subsequently operates the nursing facility or is a Medicaid contractor. If the buyer or capitalized lessee subsequently leases some or all of the assets to a related party or organization as defined in this chapter, the department may recover directly from such related party or organization. The total amount subject to recovery shall be due and payable immediately after the transfer of the assets by sale or capitalized lease. However, the department may establish a repayment schedule to recover depreciation reimbursement for a period not to exceed six months after the date of transfer.

(6) If repayment is not made immediately or commenced and maintained in accordance with a repayment schedule agreeable to the department, the department shall deduct the recovery from the monthly payments, if any, for Medicaid services made to the buyer or capitalized lessee or from payments, if any, made to a contractor related to the buyer or capitalized lessee.

(7) The department may utilize all means authorized by law to recover and secure the recovery of depreciation reimbursement and, if recovery from the buyer or capitalized lessee or from a related party or organization is not feasible or successful in whole or in part, the department shall recover depreciation reimbursement from the seller or capitalized lessor, who, along with the buyer or capitalized lessee, shall be jointly and severally liable for the recovery.

(8) In calculating gain on sale in the case of a sale, sales price shall be the total actual price charged for all the assets. In the case of a capitalized lease, for the purpose of calculating gain on sale for recovery of depreciation reimbursement only, sales price of the leased assets shall be imputed as the present value of the lease payments over the term of the lease, discounted at the state average borrowing rate in effect at the inception of the lease.

(9) In calculating gain on sale, net book value shall be the valuation assigned to the assets immediately prior to the time of the sale or capitalized lease for determining Medicaid reimbursement, whether such assets were

owned or leased by the contractor. If a Medicaid contract does not exist immediately prior to the sale or capitalized lease, net book value shall be the valuation assigned to the assets for determining Medicaid reimbursement at the termination of the most recent Medicaid contract, whether such assets were owned or leased by the contractor.

(10) The depreciation base of depreciable assets and the cost basis of nondepreciable assets for all partial or whole Medicaid rate periods after a sale or capitalized lease shall be established or continued in accordance with the provisions of this chapter. Neither shall be adjusted to reflect any liability for recovery of depreciation reimbursement. Upon request, the department shall provide to any prospective buyer or seller or to any prospective capitalized lessee or lessor of nursing facility assets the total depreciation reimbursement paid to all Medicaid contractors while the assets were owned by the seller or capitalized lessor and shall provide the current or most recent net book value of the assets used for Medicaid reimbursement purposes.

AMENDATORY SECTION (Amending Order 2970, filed 4/17/90, effective 5/18/90)

**WAC 388-96-585 UNALLOWABLE COSTS.** (1) The department shall not allow costs if not documented, necessary, ordinary, and related to the provision of care services to authorized patients.

(2) The department shall include, but not limit unallowable costs to the following:

(a) Costs of items or services not covered by the medical care program. Costs of nonprogram items or services even if indirectly reimbursed by the department as the result of an authorized reduction in patient contribution;

(b) Costs of services and items provided to SNF or ICF recipients covered by the department's medical care program but not included in SNF or ICF services respectively. Items and services covered by the medical care program are listed in chapters 388-86 and 388-88 WAC;

(c) Costs associated with a capital expenditure subject to Section 1122 approval (Part 100, Title 42 C.F.R.) if the department found the capital expenditure inconsistent with applicable standards, criteria, or plans. If the contractor did not give the department timely notice of a proposed capital expenditure, all associated costs shall be nonallowable as of the date the costs are determined not to be reimbursable under applicable federal regulations;

(d) Costs associated with a construction or acquisition project requiring certificate of need approval pursuant to chapter 70.38 RCW if such approval was not obtained;

(e) Costs of outside activities (e.g., costs allocable to the use of a vehicle for personal purposes or related to the part of a facility leased out for office space);

(f) Salaries or other compensation of owners, officers, directors, stockholders, and others associated with the contractor or home office, except compensation paid for service related to patient care;

(g) Costs in excess of limits or violating principles set forth in this chapter;

(h) Costs resulting from transactions or the application of accounting methods circumventing the principles of the prospective cost-related reimbursement system;

(i) Costs applicable to services, facilities, and supplies furnished by a related organization in excess of the lower of the cost to the related organization or the price of comparable services, facilities, or supplies purchased elsewhere;

(j) Bad debts. Beginning July 1, 1983, the department shall allow bad debts of Title XIX recipients only if:

(i) The debt is related to covered services;

(ii) It arises from the recipient's required contribution toward the cost of care;

(iii) The provider can establish reasonable collection efforts were made;

(iv) The debt was actually uncollectible when claimed as worthless; and

(v) Sound business judgment established there was no likelihood of recovery at any time in the future.

Reasonable collection efforts shall consist of three documented attempts by the contractor to obtain payment. Such documentation shall demonstrate the effort devoted to collect the bad debts of Title XIX recipients is at the same level as the effort normally devoted by the contractor to collect the bad debts of non-Title XIX patients. Should a contractor collect on a bad debt, in whole or in part, after filing a cost report, reimbursement for the debt by the department shall be refunded to the department to the extent of recovery. The department shall compensate a contractor for bad debts of Title XIX recipients at final settlement through the final settlement process only.

(k) Charity and courtesy allowances;

(l) Cash, assessments, or other contributions, excluding dues, to charitable organizations, professional organizations, trade associations, or political parties, and costs incurred to improve community or public relations. Any portion of trade association dues attributable to legal and consultant fees and costs in connection with lawsuits or other legal action against the department shall be unallowable;

(m) Vending machine expenses;

(n) Expenses for barber or beautician services not included in routine care;

(o) Funeral and burial expenses;

(p) Costs of gift shop operations and inventory;

(q) Personal items such as cosmetics, smoking materials, newspapers and magazines, and clothing, except items used in patient activity programs where clothing is a part of routine care;

(r) Fund-raising expenses, except expenses directly related to the patient activity program;

(s) Penalties and fines;

(t) Expenses related to telephones, televisions, radios, and similar appliances in patients' private accommodations;

(u) Federal, state, and other income taxes;

(v) Costs of special care services except where authorized by the department;

(w) Expenses of key-man insurance and other insurance or retirement plans not in fact made available to all

employees on an equal or fair basis in terms of costs to employees and benefits commensurate to such costs;

(x) Expenses of profit-sharing plans;

(y) Expenses related to the purchase and/or use of private or commercial airplanes which are in excess of what a prudent contractor would expend for the ordinary and economic provision of such a transportation need related to patient care;

(z) Personal expenses and allowances of owners or relatives;

(aa) All expenses of maintaining professional licenses or membership in professional organizations;

(bb) Costs related to agreements not to compete;

(cc) Goodwill and amortization of goodwill;

(dd) Expense related to vehicles which are in excess of what a prudent contractor would expend for the ordinary and economic provision of transportation needs related to patient care;

(ee) Legal and consultant fees in connection with a fair hearing against the department relating to those issues where:

(i) A final administrative decision is rendered in favor of the department or where otherwise the determination of the department stands at the termination of administrative review; or

(ii) In connection with a fair hearing, a final administrative decision has not been rendered; or

(iii) In connection with a fair hearing, related costs are not reported as unallowable and identified by fair hearing docket number in the period they are incurred if no final administrative decision has been rendered at the end of the report period; or

(iv) In connection with a fair hearing, related costs are not reported as allowable, identified by docket number, and prorated by the number of issues decided favorably to a contractor in the period a final administrative decision is rendered.

(ff) Legal and consultant fees in connection with a lawsuit against the department, including suits which are appeals of administrative decisions;

(gg) Lease acquisition costs and other intangibles not related to patient care;

(hh) Interest charges assessed by the state of Washington for failure to make timely refund of overpayments and interest expenses incurred for loans obtained to make such refunds;

(ii) Beginning January 1, 1985, lease costs, including operating and capital leases, except for office equipment operating lease costs;

(jj) Beginning January 1, 1985, interest costs;

(kk) Travel expenses outside the states of Idaho, Oregon, and Washington, and the Province of British Columbia. However, travel to or from the home or central office of a chain organization operating a nursing home will be allowed whether inside or outside these areas if such travel is necessary, ordinary, and related to patient care;

(ll) Board of director fees for services in excess of one hundred dollars per board member, per meeting, not to exceed twelve meetings per year;

(mm) Moving expenses of employees in the absence of a demonstrated, good-faith effort to recruit within the

states of Idaho, Oregon, and Washington, and the Province of British Columbia;

(nn) Depreciation expense in excess of twenty-five hundred dollars per year for passenger cars or other vehicles primarily used for the administrator, facility staff, or central office staff;

(oo) Any costs associated with the use of temporary health care personnel from any nursing pool not registered with the director of the department of licensing at the time of such pool personnel use;

(pp) Costs of payroll taxes associated with compensation in excess of allowable compensation for owners, relatives, and administrative personnel;

(qq) Department-imposed postsurvey charges incurred by the facility as a result of subsequent inspections which occur beyond the first postsurvey visit during the certification survey calendar year;

(rr) Costs and fees otherwise allowable for legal services, whether purchased, allocated by a home office, regional office or management company, or performed by the contractor or employees of the contractor, in excess of the eighty-fifth percentile of such costs, measured on a total cost basis, reported by all contractors for the most recent cost report period: PROVIDED, That this limit shall not apply to a contractor unless the contractor has exceeded this percentile for each of the three years preceding the most recent cost report year;

(ss) Costs and fees otherwise allowable for accounting and bookkeeping services, whether purchased, allocated by a home office, regional office or management company, or performed by the contractor or employees of the contractor, in excess of the eighty-fifth percentile of such costs, measured on a per patient-day cost basis, reported by all contractors for the most recent cost report period, provided this limit shall not apply to a contractor unless the contractor has exceeded this percentile for each of the three years preceding the most recent cost report year; and

(tt) For all partial or whole rate periods after July 17, 1984, costs of assets, including all depreciable assets and land, which cannot be reimbursed under the provisions of the Deficit Reduction Act of 1984 (DEFRA) and state statutes and regulations implementing DEFRA.

(uu) Effective for July 1, 1991, and all following rates, compensation paid for any purchased nursing care services, including registered nurse, licensed practical nurse, and nurse assistant services, obtained through service contract arrangement in excess of the amount of compensations which would have been paid for such hours of nursing care services had they been paid at the average hourly wage, including related taxes and benefits, for in-house nursing care staff of like classification at the same nursing facility, as reported in the most recent cost report period.

**AMENDATORY SECTION** (Amending Order 3185, filed 5/31/91, effective 7/1/91)

WAC 388-96-722 NURSING SERVICES COST AREA RATE. (1) The department shall pay the nursing services cost area reimbursement rate for the necessary and ordinary costs of providing routine nursing and related care to recipients. The cost of one-to-one care

shall include care provided by qualified therapists and their employees only to the extent the costs are not covered by Medicare, part B, or any other coverage.

(2) The department shall subject nursing service costs to two reasonableness tests:

(a) A test for nursing staff hours; and

(b) A test for cost increases between the current and preceding report period.

(3) The test for nursing staff hours referenced in subsection (2)(a) of this section shall use a regression of hours reported by facilities for registered nurses, licensed practical nurses, and nurses' assistants, including:

(a) Purchased and allocated nursing and assistant staff time; and

(b) The average Battelle patient debility score for the corresponding facilities as computed by the department. The department shall take data for the regression from:

(i) Correctly completed cost reports; and

(ii) Patient assessments completed by the department for the corresponding calendar report year and available at the time the regression equation is computed. Effective January 1, 1988, the department shall not include the hours associated with off-site or class room training of nursing assistants and the supervision of such training for nursing assistants in the test for nursing staff hours. The department shall calculate and set for each facility a limit on nursing and nursing assistant staffing hours at predicted staffing hours plus 1.75 standard errors, utilizing the regression equation calculated by the department. The department shall reduce costs for facilities with reported hours exceeding the limit by an amount equivalent to:

(A) The hours exceeding the limit;

(B) Times the average wage rate for nurses and assistants indicated on cost reports for the year in question, including benefits and payroll taxes allocated to such staff. The department shall provide contractors' reporting hours exceeding the limit the higher of their January 1983 patient care rate or the nursing services rate computed for them according to the provisions of this subsection, plus applicable inflation adjustments.

(4) The test for cost increases referenced in subsection (2)(b) of this section shall compare:

(a) The percentage change in allowable nursing services cost for the facility between the most recent cost report period and the next prior cost report period, excluding actual cost incurred relating to, but not to exceed an amount equal to, any prospective rate revision granted under WAC 388-96-774 in each cost report year;

(b) Against the percentage change in the medical care component of the consumer price index for all urban consumers between July of the most recent cost report period and July of the next prior cost report period. The department shall limit facilities reporting increases greater than the medical care component of the consumer price index to a rate determined by their adjusted patient care costs for the period immediately preceding the most recent cost report period, inflated by the medical care component of the consumer price index.

(5) In calculating and applying the test for cost increases, the department shall measure the allowable

nursing services cost increase between the most recent and the next prior cost report periods on a total cost basis and on a per-patient-day cost basis only. The department shall utilize for each contractor the basis showing the lesser increase.

(6) For all rates effective after June 30, 1991, nursing services costs, as reimbursed within this chapter and as tested for reasonableness within this section, shall not include costs of any purchased nursing care services, including registered nurse, licensed practical nurse, and nurse assistant services, obtained through service contract arrangement (commonly referred to as "nursing pool" services), in excess of the amount of compensation which would have been paid for such hours of nursing care service had they been paid at the average hourly wage, including related taxes and benefits, for in-house nursing care staff of like classification at the same nursing facility, as reported in the most recent cost report period.

(7) The department shall suspend application of the cost increase limitation, authorized by subsections (2)(b) and (4) of this section, for the July 1, 1991, through June 30, 1992, rate period only. The limitations shall remain in effect for all other rate periods and the suspension shall not affect application of the nursing hours lid, authorized by subsections (2)(a) and (3) of this section, which shall remain in effect for all rate periods.

**AMENDATORY SECTION** (Amending Order 2742 [2970], filed 12/21/88 [4/17/90])

**WAC 388-96-754 A CONTRACTOR'S RETURN ON INVESTMENT.** (1) The department shall establish for individual Medicaid facilities return on investment allowances composed of a financing allowance and a variable return allowance.

(2) The department shall determine the financing allowance by:

(a) Multiplying the net invested funds of each facility by ((eleven)) ten percent and dividing by the contractor's total patient days effective for July 1, 1991, and all following rate settings. Annual patient days taken from the contractor's cost report for the most recent twelve-month cost report period will be used. If the cost report covers less than twelve months, the department will estimate annual patient days and working capital costs for a full year based upon data in the cost report. If a capitalized addition or retirement of an asset results in a different licensed bed capacity during the ensuing period, the department shall adjust the prior period total patient days used in computing the financing and variable return allowances to anticipated patient day level; and

(b) In computing the portion of net invested funds representing the net book value of tangible fixed assets, the same assets, depreciation bases, lives, and methods referred to in this chapter, including owned and leased assets, shall be used, except the capitalized cost of land upon which a facility is located and other such contiguous land which is reasonable and necessary for use in the regular course of providing patient care shall also be included. As such, subject to provisions contained in this chapter, capitalized cost of leased land, regardless of the

type of lease, shall be the lessor's historical capitalized cost. Subject to provisions contained in this chapter, for land purchases before July 18, 1984 (the enactment date of the Deficit Reduction Act of 1984 (DEFRA)), capitalized cost of land shall be the buyer's capitalized cost. For all partial or whole rate periods after July 17, 1984, if the land ((purchases)) is purchased on or after July 18, 1984, capitalized cost of land shall be that of the owner of record on July 17, 1984, or buyer's capitalized cost, whichever is lower. In the case of leased facilities where the net invested funds are unknown or the contractor is unable or unwilling to provide necessary information to determine net invested funds, the department may determine an amount to be used for net invested funds based upon an appraisal conducted by the department of general administration per this chapter.

(3) The department shall determine the variable return allowance according to the following procedure:

(a) The department shall rank all facilities in numerical order from highest to lowest based upon average per diem allowable costs for the sum of the administration and operations and property cost centers for the preceding cost report period. In the case of a new contractor, property and administration and operations cost levels actually used to set the initial rate shall be used for the purpose of ranking the new contractor. The department shall adjust the new contractor's costs to the cost year used to establish the most recent variable return ranking for all providers using inflation factors authorized by provisions of this chapter.

(b) The department shall compute the variable return allowance by multiplying the total prospective rate for each facility by the appropriate percentage which shall not be less than one percent nor greater than four percent. The department shall divide the facilities ranked according to subsection (3)(a) of this section into four groups, from highest to lowest, with an equal number of facilities in each group or nearly equal as is possible. The department shall assign facilities in the highest quarter a percentage of one, in the second highest quarter a percentage of two, in the third highest quarter a percentage of three, and in the lowest quarter a percentage of four. The per patient day variable return allowance in the initial rate of a new contractor shall be the same as that in the rate of the preceding contractor, if any.

(4) The sum of the financing allowance and the variable return allowance shall be the return on investment for each facility and shall be added to the prospective rate for each facility.

(5) If a facility is leased by a contractor as of January 1, 1980, in an arm's-length agreement, which continues to be leased under the same lease agreement as defined in this chapter, and for which the annualized lease payment, plus any interest and depreciation expenses of contractor-owned assets, for the period covered by the prospective rates, divided by the contractor's total patient days, minus the property cost center determined

according to this chapter, is more than the return on investment allowance determined according to this section, the following shall apply:

(a) The financing allowance shall be recomputed substituting the fair market value of the assets, as of January 1, 1982, determined by department of general administration appraisal less accumulated depreciation on the lessor's assets since January 1, 1982, for the net book value of the assets in determining net invested funds for the facility. Said appraisal shall be final unless shown to be arbitrary and capricious.

(b) The sum of the financing allowance computed under this subsection and the variable return allowance shall be compared to the annualized lease payment, plus any interest and depreciation expenses of contractor-owned assets, for the period covered by the prospective rates, divided by the contractor's total patient days, minus the property cost center rate determined according to this chapter. The lesser of the two amounts shall be called the alternate return on investment allowances.

(c) The return on investment allowance determined in accordance with subsections (1), (2), (3), and (4) of this section or the alternate return on investment allowance, whichever is greater, shall be the return on investment allowance for the facility and shall be added to the prospective rate of the facility.

(d) In the case of a facility leased by the contractor as of January 1, 1980, in an arm's-length agreement, if the lease is renewed or extended pursuant to a provision of the lease agreement existing on January 1, 1980, the treatment provided in subsection (5)(a) of this section shall be applied except that in the case of renewals or extensions made on or subsequent to April 1, 1985, per a provision of the lease agreement existing on January 1, 1980, reimbursement for the annualized lease payment shall be no greater than the reimbursement for the annualized lease payment for the last year prior to the renewal or extension of the lease.

(6) The information from the two prior reporting periods used to set the two prospective return on investment rates in effect during the settlement year is subject to field audit. If the financing allowances which can be documented and calculated at audit of the prior periods are different than the prospective financing allowances previously determined by desk-reviewed, reported information, and other relevant information, the prospective financing allowances shall be adjusted to the audited level at final settlement of the year the rates were in effect, except the adjustments shall reflect a minimum bed occupancy level of eighty-five percent. Any adjustments to the financing allowances pursuant to this subsection shall be for settlement purposes only. However, the variable return allowances shall be the prospective allowances determined by desk-reviewed, reported information, and other relevant information and shall not be adjusted to reflect prior-period audit findings.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**WSR 91-18-001**  
**NOTICE OF PUBLIC MEETINGS**  
**PUBLIC DISCLOSURE COMMISSION**  
 [Memorandum—August 21, 1991]

The regular meeting of the Public Disclosure Commission scheduled for Tuesday, September 24, 1991, has been cancelled. A special meeting has been scheduled for Tuesday, October 1, 1991.

**WSR 91-18-002**  
**PROPOSED RULES**  
**OLYMPIC AIR**  
**POLLUTION CONTROL AUTHORITY**  
 [Filed August 22, 1991, 1:20 p.m.]

**Original Notice.**

**Title of Rule:** Olympic Air Pollution Control Authority Regulation 1, Section 5.03 exhibit A (14)(ii), gasoline storage tanks.

**Purpose:** Changes Olympic Air Pollution Control Authority Regulation 1 to be in agreement with state regulation, chapter 173-491 WAC, by removal of gasoline storage tank registration exemption.

**Other Identifying Information:** Emission standards and controls for sources emitting gasoline vapors, chapter 173-491 WAC.

**Statutory Authority for Adoption:** Chapter 70.94 RCW.

**Summary:** Changes to Olympic Air Pollution Control Authority Regulation 1 Section 5.03 exhibit A (14)(ii) will allow the registration of gasoline services stations, bulk plants and terminals as required by chapter 173-491 WAC.

**Reasons Supporting Proposal:** Local agency may not be less stringent than state regulations.

**Name of Agency Personnel Responsible for Drafting and Implementation:** James A. Wilson, 120 East State, (206) 586-0593 ext. 101; and **Enforcement:** Charles Peace, 120 East State, (206) 586-0593 ext. 100.

**Name of Proponent:** Olympic Air Pollution Control Authority, governmental.

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

**Explanation of Rule, its Purpose, and Anticipated Effects:** Change Olympic Air Pollution Control Authority Regulation 1 to be in agreement with state regulation, chapter 173-491 WAC, by removal of gasoline storage tank registration exemption.

**Proposal Changes the Following Existing Rules:** Removes exemption for the registration of gasoline storage tanks.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

**Hearing Location:** Olympic Air Pollution Control, 120 East State, Olympia, WA 98501, on October 9, 1991, at 10:15 a.m.

**Submit Written Comments to:** James A. Wilson, Olympic Air Pollution Control Authority, 120 East State Avenue, Olympia, WA 98501, by October 9, 1991.

Date of Intended Adoption: October 9, 1991.

August 21, 1991  
 James A. Wilson  
 Air Quality  
 Control Specialist

**AMENDATORY SECTION**

**SECTION 5.03 GENERAL REQUIREMENTS FOR REGISTRATION**

(a) Registration of an installation shall be made by the owner or lessee of the source, or his agent, within thirty (30) days of receipt of forms provided by the Authority. The owner of the source shall be responsible for registration and the accuracy of the information submitted.

(b) A separate registration shall be required for each source of contaminant: Provided, that an owner has the option to register a process with a detailed inventory of contaminant sources and emissions related to said process: PROVIDED FURTHER, that an owner need not make a separate registration for identical units of equipment or control apparatus installed, altered or operated in an identical manner on the same premise.

(c) Each registration shall be signed by the owner or lessee or the agent for such owner or lessee.

**EXHIBIT A**

**EXCLUSIONS ADOPTED BY THE BOARD AND ATTACHED AS ADDENDUM**

(1) Air conditioning or ventilating systems not designed to remove containment generated by or released from equipment.

(2) Atmosphere generators used in connection with metal heat treating processes.

(3) Blast cleaning equipment which uses a suspension of abrasive in liquid water.

(4) Foundry sand mold forming equipment, unheated.

(5) Fuel burning equipment which:

(i) is used solely for a private dwelling serving four families or less;

or

(ii) has a BTU input of not more than 400,000 BTU per hour.

(6) Fumigation vaults.

(7) Insecticide spray equipment, non-commercial

(8) Internal combustion engines, including gas turbine and jet engines.

(9) Laboratory equipment used exclusively for chemical or physical analysis.

(10) Laundry driers, extractors or tumblers used exclusively for the removal of water from fabric.

(11) Routing, turning, carving, cutting and drilling equipment used for metal, wood, plastics, rubber, leather or ceramics.

(12) Surface coating by use of aqueous solution or suspension.

(13) Steam cleaning equipment used exclusively for that purpose.

(14) Storage tanks, reservoirs or containers:

(i) Of a capacity of 6,000 gallons or less used for organic solvents, diluents or thinners.

(ii) Of a capacity of 40,000 gallons or less used for liquid fuels including ((gasoline)) lubricating oil, tallow, vegetable oil or wax emulsions.

(15) Vacuum cleaning systems used exclusively for office or residential housekeeping.

(16) Vacuum producing devices used in laboratory operations and vacuum producing devices which do not remove or convey air contaminants from or to another source.

(17) Vents used exclusively for:

(i) Sanitary or storm drainage systems; or

(ii) Safety valves; or

(iii) Storage tanks.

(18) Washing or drying equipment used for products fabricated from metal or glass, if no volatile organic material is used in the process.

(19) Water cooling towers and cooling ponds except for barometric condensers.

(20) Welding, brazing or soldering equipment.

(21) Asphalt laying equipment.



**WSR 91-18-003**  
**EMERGENCY RULES**  
**ECONOMIC DEVELOPMENT**  
**FINANCE AUTHORITY**  
 [Filed August 22, 1991, 3:07 p.m.]

Date of Adoption: August 16, 1991.

Purpose: Establishment of the officers of the board of the authority, operation of meetings, voting requirements at meetings, authority for official actions of the board, public participation in meetings, and recordkeeping.

Statutory Authority for Adoption: RCW 43.163.100(18).

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The rules are necessary to permit the issuance of revenue bonds for economic development which the legislature has determined are essential for the preservation of the health, safety and welfare of all Washington citizens. A bond resolution has been brought before the board.

Effective Date of Rule: Immediately.

August 22, 1991  
 Jerry Viscione  
 Boardmember

**CHAPTER 178-01 WAC**  
**POLICIES**

**NEW SECTION**

**WAC 178-01-010 OPERATIONS AND PROCEDURES.** (1) *Uniform procedure rules: Practice and procedure in and before the authority are governed by the uniform procedural rules codified in the Washington Administrative Code, WAC 1-08-005 through 1-08-590, as now or hereafter amended, which rules the authority adopts as its own, subject to any additional rules the authority may add from time to time. The authority reserves the right to make whatever determination is fair and equitable should any question not covered by its rules come before the authority, said determination to be in accordance with the spirit and intent of the law.*

(2) *Officers: The authority shall have the following officers each of whom are members of the board:*

(a) *Chair, who shall be designated by the governor,*

(b) *Vice chair, who shall be elected by a majority of a quorum of the authority,*

(c) *Secretary, who shall be the treasurer of the state of Washington, an ex-officio member of the board.*

(3) *Authority meetings: The meetings of the authority shall be "regular meetings" as these designations are defined in chapter 42.30 RCW. They may be called at any time and place by the chair or a majority of the members of the authority. At least 24 hours notice of all special meetings shall be given by delivering personally or by mail to each member a written notice specifying the time and place of the meeting and a copy of the agenda*

*prepared by the executive director in consultation with the chairman, and by giving such notice to the public as may be required by law. An executive session may be called by the chairman or by a majority of all members of the authority to consider the appointment, employment or dismissal of an officer or employee, and such other matters as are permitted by RCW 42.30.110.*

(4) *Quorum: Ten members shall constitute a quorum, and the act of a majority of the members present at any meeting, if there is a quorum, shall be deemed the act of the authority except as specified hereafter.*

(5) *Chair's voting rights: The chair shall have the right to vote on all matters before the authority, just as any other authority member.*

(6) *Minutes of meetings: Minutes shall be kept of the proceedings of the authority.*

(7) *Rules of order: The authority shall generally follow Robert's Rules of Order, newly revised, in conducting its business meetings.*

(8) *Form of authority action: The authority shall act on the basis of a resolution when authorizing issuance of bonds pursuant to RCW 43.163.130 and when otherwise taking official and formal action with respect to the creation of special funds and the issuance and sale of bonds for providing financing for an applicant. Such resolutions shall be adopted upon the affirmative vote of a majority of a quorum of the members of the authority and shall be signed by the secretary. In all other instances the authority may act on the basis of a motion. Motions shall be adopted upon the affirmative vote of a majority of a quorum of members present at any meeting.*

(9) *Public participation in the meetings of the authority shall be allowed at the discretion of the chair who may recognize anyone in the audience who indicates a desire to speak at such meeting, provided that remarks by any individual person shall be limited to an amount of time granted by the chair.*

**WSR 91-18-004**  
**PERMANENT RULES**  
**SUPERINTENDENT OF**  
**PUBLIC INSTRUCTION**

[Order 91-18—Filed August 23, 1991, 10:37 a.m.]

Date of Adoption: August 23, 1991.

Purpose: To correspond to federal law (101-476) regarding the provision of transition services to disabled students. Federal requirements include definition of transition services for students 16 years or older.

Citation of Existing Rules Affected by this Order: Amending chapter 392-171 WAC.

Statutory Authority for Adoption: RCW 28A.155.090.

Pursuant to notice filed as WSR 91-14-002 on June 20, 1991.

Effective Date of Rule: Thirty-one days after filing.

August 23, 1991  
 Judith A. Billings  
 Superintendent of  
 Public Instruction

**NEW SECTION**

**WAC 392-171-321 DEFINITION—TRANSITION SERVICES.** (1) As used in this chapter, the term "transition services" means a coordinated set of activities for a student, designed within an outcome-oriented process, which promotes movement from school to post school activities. Some examples of appropriate post school outcomes include:

- (a) Postsecondary education;
- (b) Integrated employment;
- (c) Supported employment;
- (d) Continuing and adult education;
- (e) Adult services; and
- (f) Independent living and/or community participation.

(2) The coordinated set of activities shall be based upon the individual student needs, and shall include:

- (a) Functional vocational evaluation;
- (b) Instruction;
- (c) Vocational education/training;
- (d) Community experiences; and
- (e) Where appropriate, acquisition of daily living skills.

The following terms used in the definition of "transition services" are defined as follows:

(i) "Coordinated set of activities" means a planned and organized sequence of activities which promotes the movement of a student from school to post school adult living.

(ii) "Outcome oriented process" means a series of events unique to an individual student's needs which lead directly to integrated employment, supported employment, postsecondary education, continuing and adult education, adult services, independent living, and/or community participation.

(3) "Postsecondary education" means organized educational programs provided by qualified personnel which are available beyond grades 9-12. The term includes:

- (a) Community colleges;
- (b) Vocational-technical institutes;
- (c) Four-year colleges and universities.

(4) "Vocational education" means a planned series of learning experiences, the specific objectives of which is to prepare persons to enter, continue in, or upgrade themselves in gainful employment in recognized occupations not designated as professionals or requiring a baccalaureate or higher degree.

(5) "Vocational training" means the acquisition of specific skills through specialized instruction and practice, and provided by qualified personnel.

(6) "Integrated employment" means paid work in sites and settings that are not unique to individuals with disabilities.

(7) "Supported employment" means paid work that requires the use of designated personnel to assist individuals with disabilities in acquiring and maintaining site specific skills.

(8) "Continuing and adult education" means organized educational programs conducted by qualified personnel for individuals who have graduated or left high school.

(9) "Adult services" means health, social, housing, transportation, and/or employment opportunities normally provided for persons beyond age eighteen through public, nonprofit agencies.

(10) "Independent living" means initiating, maintaining, and/or actively participating in a household using self-generated resources.

(11) "Community participation" means integrated and active involvement in the local community.

(12) "Functional vocational evaluation" means the assessment of occupational interests, aptitudes, and preparation opportunities.

**AMENDATORY SECTION** (Amending Order 15, filed 11/2/89, effective 12/3/89)

**WAC 392-171-461 INDIVIDUALIZED EDUCATION PROGRAM.** (1) Each handicapped student's individualized education program shall be developed on the basis of assessment analysis and parent input, where it is provided, and shall include:

(a) For each orthopedically impaired and health impaired student under the age of eligibility to first grade, current medical evaluation by a qualified medical practitioner which describes and confirms the student's health circumstance and which provides any medical implications for educational planning;

(b) A statement of the student's present levels of educational performance;

(c) A statement of specific annual goals including short-term instructional objectives which are stated in terms that provide for measurement of progress, expected levels of performance, and the schedules for their accomplishments;

(d) A statement of the specific special education and related services needed by the student, and the extent to which the student will be able to participate in the regular educational program, including physical education. If the student is unable to participate in the regular physical education program, a description of the specially designed physical education to be provided to the student shall be included;

(e) The IEP developed for a ~~((handicapped))~~ student ~~((whose chronological age is fourteen or above))~~ with a disability shall also include ~~((career development and/or vocational education goals and short-term instructional objectives, where appropriate. PROVIDED, That if the career development and/or vocational education is specially designed instruction, goals and short-term instructional objectives shall be included))~~ a statement of the needed transition services including goals and objectives, based on a functional vocational evaluation and anticipated post school outcome(s) beginning no later than age sixteen and annually thereafter (and when determined appropriate for an individual student, beginning at age fourteen or younger), including, when appropriate, a statement of the interagency responsibilities or linkages (or both) before the student leaves the school setting. In the case where a participating agency fails to provide agreed upon services, the educational agency shall reconvene the IEP team to identify alternative strategies to meet transition objectives, as long as the student is eligible for services;



(f) The projected dates for the initiation of services and the anticipated duration of the services, including the number of school days, the number of hours per day, and the length of the school year over which such services shall be provided: PROVIDED, That in the event the individualized educational program is the first in the district for such student and the multidisciplinary team has not made a determination as to the need for an extended school year for such child, the individualized educational program team shall make its recommendation on the length of the school year over which such services shall be provided prior to the conclusion of the regular one hundred eighty school days; and

(g) Appropriate objective criteria and evaluation procedures and schedules for determining, on at least an annual basis, whether the short-term instructional objectives are being met.

(2) The school district shall provide the parent (or the adult student) a copy of the individualized education program.

(3) Nothing in this chapter may be construed as promising or guaranteeing that a handicapped student will in fact achieve the growth projected in his or her annual goals and short-term objectives.

**WSR 91-18-005**  
**PERMANENT RULES**  
**SUPERINTENDENT OF**  
**PUBLIC INSTRUCTION**

[Order 91-15—Filed August 23, 1991, 10:41 a.m., effective August 23, 1991]

Date of Adoption: August 23, 1991.

Purpose: To set forth policies and procedures for the administration of and to ensure district compliance with state requirements for a program designed to provide learning assistance to public school students in grades kindergarten through nine who are deficient in basic skills achievement.

Citation of Existing Rules Affected by this Order: Amending WAC 392-162-095.

Statutory Authority for Adoption: Chapter 478, Laws of 1987.

Pursuant to notice filed as WSR 91-13-052 on June 14, 1991.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rules: The immediate filing of this rule is necessary to avoid imminent peril to the public health, safety or welfare of the state school system. It is designed to allow schools to update indirect cost rates based on the most recent fiscal year and must be in place prior to September 1, 1991, to do so.

Effective Date of Rule: Immediately.

August 23, 1991  
 Judith A. Billings  
 Superintendent of  
 Public Instruction

**AMENDATORY SECTION** (Amending Order 87-14, filed 10/22/87)

WAC 392-162-095 PROGRAM REQUIREMENT—ALLOWABLE EXPENDITURES. Only allowed expenditures shall be reimbursed by the superintendent of public instruction. Allowed expenditures shall include direct and indirect expenditures included on the approved program budget: PROVIDED, That beginning ~~((September 1, 1987))~~ with expenditures for the 1990-91 school year, the allowed indirect expenditure rate for each school district shall not exceed the rate calculated for Program 55 "Remediation" for the ~~((1985-86 fiscal year on each school district's F-196 Part III Report: PROVIDED FURTHER, That beginning September 1, 1988, the indirect expenditure rate for each school district shall not exceed the rate calculated for Program 55 "Remediation" for the 1986-87))~~ most recently completed fiscal year using the federal restrictive rate methodology.

**WSR 91-18-006**  
**PERMANENT RULES**  
**SUPERINTENDENT OF**  
**PUBLIC INSTRUCTION**

[Order 91-16—Filed August 23, 1991, 10:45 a.m.]

Date of Adoption: August 23, 1991.

Purpose: Provide public school districts with the mandatory and supplemental course content requirements for training school district employees regarding the transmission, prevention, and treatment of HIV/AIDS.

Statutory Authority for Adoption: RCW 70.24.290.

Pursuant to notice filed as WSR 91-14-035 on June 26, 1991.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: RCW 70.24.250 requires the Superintendent of Public Instruction to develop the course content in consultation with the Department of Health.

Effective Date of Rule: Thirty-one days after filing.

August 23, 1991  
 Judith A. Billings  
 Superintendent of  
 Public Instruction

**Chapter 392-198 WAC**  
**TRAINING—SCHOOL EMPLOYEES—HIV/AIDS**

**NEW SECTION**

WAC 392-198-005 AUTHORITY. The authority for this chapter is RCW 70.24.290 which authorizes the superintendent of public instruction to adopt rules that require appropriate education and training of public school employees about the transmission, prevention, and treatment of HIV/AIDS. The superintendent of public instruction is further required to develop the course content in consultation with the department of health under RCW 70.24.250.

NEW SECTION

WAC 392-198-010 PURPOSES. The purpose of this chapter is to provide public school districts with the mandatory and supplemental course content requirements for training school district employees regarding the transmission, prevention, and treatment of HIV/AIDS.

NEW SECTION

WAC 392-198-015 COURSE CONTENT REQUIREMENTS FOR HIV/AIDS INSERVICE TRAINING—MANDATORY. Pursuant to RCW 70.24.250 and 70.24.290 the HIV/AIDS training provided by public school districts shall include:

- (1) History and epidemiology of HIV/AIDS;
- (2) Methods of transmission of HIV;
- (3) Methods of prevention of HIV including universal precautions for handling of body fluids;
- (4) Current treatment for symptoms of HIV and prognosis of disease progression;
- (5) State and federal laws governing discrimination of persons with HIV/AIDS;
- (6) State and federal laws regulating confidentiality of a person's HIV antibody status.

NEW SECTION

WAC 392-198-020 COURSE CONTENT REQUIREMENTS FOR HIV/AIDS INSERVICE TRAINING—SUPPLEMENTAL. Pursuant to RCW 70.24.250 and 70.24.290 the HIV/AIDS training may include:

- (1) Federal, state, and local resources for HIV/AIDS;
- (2) Impact of HIV/AIDS on infected individuals and their families;
- (3) Global impact of HIV/AIDS;
- (4) Anonymous and confidential testing for HIV antibodies.

NEW SECTION

WAC 392-198-025 CONTINUING INSERVICE. Pursuant to RCW 70.24.250, all local school districts shall ensure that significant new discoveries or changes in accepted knowledge of transmission, prevention, and treatment for HIV/AIDS are provided to all public school employees within one calendar year of the date of notification by the superintendent of public instruction as advised by the office on HIV/AIDS, department of health, unless the department of health notifies the districts that the information is of such an emergent nature that a prompt response is required.

NEW SECTION

WAC 392-198-030 NEW EMPLOYEE TRAINING. Each school district shall ensure that newly hired school district employees shall receive the HIV/AIDS training prescribed in WAC 392-198-015 within six months from the first day of employment in the district.

**WSR 91-18-007**  
**PERMANENT RULES**  
**SUPERINTENDENT OF**  
**PUBLIC INSTRUCTION**

[Order 91-17—Filed August 23, 1991, 10:47 a.m.]

Date of Adoption: August 23, 1991.

Purpose: Add traffic safety education program to the list of programs for administrative hearings.

Citation of Existing Rules Affected by this Order: Amending WAC 392-101-010.

Statutory Authority for Adoption: RCW 46.20.100(2) and chapter 28A.220 RCW.

Pursuant to notice filed as WSR 91-13-053 on June 14, 1991.

Changes Other than Editing from Proposed to Adopted Version: Traffic safety program added to list of programs for administrative hearings.

Effective Date of Rule: Thirty-one days after filing.

August 23, 1991  
 Judith A. Billings  
 Superintendent of  
 Public Instruction

AMENDATORY SECTION (Amending Order 89-07, filed 8/16/89, effective 9/16/89)

WAC 392-101-010 CONDUCT OF ADMINISTRATIVE HEARINGS. The superintendent of public instruction hereby assigns the following administrative hearings to the office of administrative hearings and hereby delegates to the administrative law judge conducting any such hearing the authority to render the final decision by the superintendent of public instruction:

- (1) Nonresident transfer appeals pursuant to WAC 392-137-055(2).
- (2) Special education hearings pursuant to WAC 392-171-531.
- (3) Equal educational opportunity complaints pursuant to WAC 392-190-075.
- (4) Professional certification appeals pursuant to WAC 180-75-030.
- (5) Child care food program and summer food service program appeals pursuant to 7 C.F.R. Parts 225 and 226.
- (6) Traffic safety education appeals pursuant to WAC 392-153-005 through 392-153-040.

**WSR 91-18-008**  
**NOTICE OF PUBLIC MEETINGS**  
**TRANSPORTATION COMMISSION**  
 [Memorandum—August 22, 1991]

The September Washington State Transportation Commission meeting will be held on Friday, September 20, 1991, at 9:00 a.m. in the Lodge Room at the Elks Club, 351 East Rose Street in Walla Walla. There will be subcommittee meetings on September 19, 1991, at the Pony Soldier Hotel, 325 East Main Street, Walla Walla.

**WSR 91-18-009****EMERGENCY RULES****DEPARTMENT OF FISHERIES**

[Order 91-70—Filed August 23, 1991, 3:32 p.m., effective August 25, 1991, 11:59 p.m.]

Date of Adoption: August 23, 1991.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order:  
Repealing WAC 220-56-19000K.

Statutory Authority for Adoption: RCW 75.08.080.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The coho quota in Marine Area 4 will have been met; and there is still a coho quota available for harvest in Marine Area 2.

Effective Date of Rule: 11:59 p.m., August 25, 1991.

August 23, 1991

Joseph R. Blum

Director

**NEW SECTION**

**WAC 220-56-19000M SALTWATER SEASONS AND BAG LIMITS.** Notwithstanding the provisions of WAC 220-56-180 and WAC 220-56-190, effective immediately until further notice, it is unlawful to fish for salmon in Marine Areas 1, 2, 3, and 4, except as provided for in this section:

(1) Areas and times open to salmon angling:

(a) Marine Area 2 - 12:01 a.m. September 3 through 11:59 p.m. September 4, 1991.

(b) In those waters south of the Red Buoy Line at the mouth of the Columbia River open September 16 through September 26, 1991 or until overall chinook quota (40,000) or coho sub-area quota of 7,000 is met - seven days a week.

(2) Bag Limit - 2 salmon per day, minimum size limit in all ocean waters; chinook salmon 24 inches in length and coho salmon 16 inches in length.

(3) Single point barbless hooks unless otherwise provided for.

(4) Shore based angling from the north jetty of the Columbia River is allowed and single point barbed hooks may be used.

**REPEALER**

The following section of the Washington Administrative Code is repealed effective 11:59 p.m. August 25, 1991:

**WAC 220-56-19000K SALTWATER SEASONS AND BAG LIMITS. (91-63)**

**WSR 91-18-010****EMERGENCY RULES****DEPARTMENT OF FISHERIES**

[Order 91-71—Filed August 23, 1991, 3:42 p.m., effective August 25, 1991, 12:01 a.m.]

Date of Adoption: August 23, 1991.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order:  
Repealing WAC 220-47-704.

Statutory Authority for Adoption: RCW 75.08.080.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Restrictions in Areas 4B, 5, 6, 6A, 6C, 7, and 7A provide protection for United States and Canadian origin chinook stocks. Openings in Areas 7B and 7C provide opportunity to harvest nontreaty allocation of chinook destined for the Nooksack-Samish region of origin. Openings in Area 7E provide opportunity to harvest nontreaty allocation of chinook destined for Glenwood Springs Hatchery in Eastsound, Orcas Island. Openings in Area 8 are directed at the nontreaty share of Skagit River origin pink salmon, and are necessary to reduce wastage; Area 8 gillnet mesh restriction is necessary to reduce chinook impacts; Area 8 in-season area restriction provides protection for coho. All other Puget Sound areas are closed to prevent overharvest of local salmon stocks.

Effective Date of Rule: 12:01 a.m., August 25, 1991.

August 23, 1991

Joseph R. Blum

Director

**NEW SECTION**

**WAC 220-47-705 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY.** Notwithstanding the provisions of Chapter 220-47 WAC, effective 12:01 AM Sunday August 25, 1991, until further notice, it is unlawful to take, fish for, or possess salmon or Atlantic salmon for commercial purposes taken from the following Puget Sound Salmon Management and Catch Reporting Areas except in accordance with the following open periods and mesh and area restrictions:

\*Areas 4B, 5, 6, 6A, 6C, 7, and 7A - Under the control of the Pacific Salmon Commission. Drift gill net gear restricted to 5-inch minimum, 6-inch maximum mesh when open.

\*Areas 7B and 7C - Gillnets using 7-inch minimum mesh may fish from 6:00 PM to 9:00 AM nightly, Monday, Tuesday, and Wednesday, August 26, 27, and 28.

\*Area 7E - Gillnets using 7-inch minimum mesh may fish from 6:00 PM to 9:00 AM nightly, Monday, Tuesday, and Wednesday, August 26, 27, and 28, and purse seines may fish from 5:00 AM to 9:00 PM daily, Tuesday, Wednesday, and Thursday, August 27, 28, and 29. Area 7E is closed east of a line projected from Madrona

Point (also known as Tongue Point) to the second point south of Griffin Rocks.

\*Area 8 - Gillnets using 5-inch minimum, 6-inch maximum mesh may fish from 6:00 PM to 9:00 AM nightly, Monday, Tuesday, and Wednesday, August 26, 27, and 28, and purse seines using the 5-inch strip may fish from 5:00 AM to 9:00 PM daily, Tuesday, Wednesday, and Thursday, August 27, 28, and 29. In addition to the exclusion zone described in WAC 220-47-307, Area 8 is closed south and west of a line projected from Polnell Point on Whidbey Island to Rocky Point on Camano Island.

\*Areas 6B, 6D, 7D, 8A, 8D, 9, 9A, 10, 10A, 10C, 10D, 10E, 10F, 10G, 11, 11A, 12, 12A, 12B, 12C, 12D, 13, 13A, 13C, 13D, 13E, 13F, 13G, 13H, 13I, 13J, and 13K, all freshwater areas, and exclusion zones provided for in WAC 220-47-307 except as modified herein - Closed.

### REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 AM Sunday August 25, 1991:

WAC 220-47-704 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY (91-66)

### WSR 91-18-011

#### PERMANENT RULES

#### DEPARTMENT OF ECOLOGY

[Order 91-25—Filed August 23, 1991, 4:16 p.m.]

Date of Adoption: August 23, 1991.

Purpose: Adds a section to chapter 173-500 WAC to create a process by which governmental entities (state, local general purpose and federal recognized tribes) can come together to cooperatively design a strategy addressing a critical water resource situation.

Citation of Existing Rules Affected by this Order: Amending chapter 173-500 WAC.

Statutory Authority for Adoption: Chapters 34.05 and 90.54 RCW.

Pursuant to notice filed as WSR 91-12-038 on June 19, 1991.

Effective Date of Rule: Thirty-one days after filing.

August 23, 1991  
Christine Gregoire  
Director

### NEW SECTION

WAC 173-500-080 CRITICAL WATER RESOURCE SITUATION RESPONSE PROCESS. In areas subject to the department of Ecology's jurisdiction, where there may be current or anticipated critical water resource or related water quality concerns, the local government(s), the state or the affected federally recognized tribe(s) may request that representatives from all three governmental entities and, as needed, appropriate federal agencies agree to the designation of the area as a critical water resource situation. All represented parties

must agree to the designation. Upon designation, an intergovernmental group will be convened.

The purpose of the intergovernmental group is to cooperatively design a consultation strategy to address the problem(s) which triggered this critical situation response process.

The legal rights and remedies available to the three governmental entities shall not be compromised or abridged by participation in the critical situation response process. However, all of the parties agree to undertake a good faith effort to resolve the critical water resource situation without first resorting to legal action.

When the intergovernmental group determines that a critical water resource situation exists or requires further evaluation or data collection, the parties will consider applying those tools necessary to protect the resources. These tools must be exercised within 12 months or as otherwise agreed to by the parties, and include, but are not limited to: targeted conservation, efficiency, re-use; compliance and enforcement; dispute resolution assistance, Memoranda of Understanding and other agreements; local government restrictions on permit issuance or moratoria; basin withdrawal by adoption of administrative regulations under RCW 90.54.050 or limited state permit issuance.

### WSR 91-18-012

#### PERMANENT RULES

#### SECRETARY OF STATE

[Filed August 26, 1991, 9:36 a.m.]

Date of Adoption: August 26, 1991.

Purpose: Implement the provisions of chapter 29.19 RCW, which established a presidential preference primary.

Statutory Authority for Adoption: RCW 29.19.070.

Pursuant to notice filed as WSR 91-13-016 on June 10, 1991.

Changes Other than Editing from Proposed to Adopted Version: The following is a summary of nonediting changes made to the draft of the presidential preference primary rules as filed in WSR 91-13-016: The requirement that persons filing a nominating petition must file a statement of intent was removed from the rules on advice of counsel. This necessitated amendments to WAC 434-75-080, 434-75-100 and 434-75-110; a provision was added to WAC 434-75-080 establishing the time period during which signatures could be obtained on a nominating petition; the prohibition against appealing the Secretary of State's determination on the sufficiency of the petition was removed from WAC 434-75-110; an amendment was made to WAC 434-75-290 which shortened the time for certification of the returns of the primary by the county auditors from ten days to seven days, requires the Secretary of State to certify the totals to the political parties not later than ten days following the primary, and also requires the Secretary of State to report all write-in vote totals in aggregate for candidates receiving less than five percent of the votes cast; and an amendment was made to WAC 434-75-320, changing

the words "not less" to "no later." In addition to these changes, an editing change was made to WAC 434-75-150.

Effective Date of Rule: Thirty-one days after filing.

August 26, 1991  
Donald F. Whiting  
Assistant Secretary  
of State

Chapter 434-75 WAC  
PRESIDENTIAL PREFERENCE PRIMARY

NEW SECTION

WAC 434-75-010 AUTHORITY AND PURPOSE. These rules are adopted under the authority of RCW 29.19.070 for the purposes of assuring uniformity in the conduct of a presidential preference primary and to facilitate the operation of the procedures mandated by that chapter.

NEW SECTION

WAC 434-75-020 DEFINITIONS. As used in this chapter:

(1) "County auditor" means the county auditor in a noncharter county or the officer, irrespective of title, having the overall responsibility to maintain voter registration information and conduct state and local elections in a charter county, and his or her deputies or staff where the context indicates;

(2) "Northwest states" means the states of Washington, Oregon, Idaho, Montana, and Alaska;

(3) "Regional primary" means whenever Washington and at least one other northwest state hold a presidential primary on the same day;

(4) "Major political party" means a political party of which at least one nominee for president, vice-president, United States senator, or state-wide office received at least five percent of the total vote cast at the last preceding state general election in an even-numbered year, or as defined by RCW 29.01.090 if that definition is different;

(5) "Members of a political party" means those persons who, in conjunction with a presidential primary, sign a statement of intent to file a nominating petition or sign a nominating petition, and indicate on that statement or petition that they consider themselves to be members of a particular major political party;

(6) "Ballot" means, as the context implies, either:

(a) The issues and offices to be voted upon in a jurisdiction or portion of a jurisdiction at a presidential preference primary;

(b) A facsimile of the contents of a particular ballot, whether printed on a paper ballot or ballot card or as part of a voting machine or voting device;

(c) A physical or electronic record of the choices of an individual voter at a presidential preference primary;

(d) A physical document on which the voter's choices are to be recorded;

(7) "Paper ballot" means a piece of paper on which the ballot for a presidential primary has been printed, on which a voter may record his or her choices for any

candidate or for or against any measure, and that is to be tabulated manually;

(8) "Ballot card" means any type of card or piece of paper of any size on which a voter may record his or her choices for any candidate and for or against any measure, and that is to be tabulated on a vote-tallying system;

(9) "Voting system" means a voting device, vote tallying system, or combination of these together with ballots and other supplies or equipment used to conduct a presidential preference primary or to canvass votes cast in a presidential preference primary;

(10) "Voting device" means a piece of equipment used for the purpose of marking, or to facilitate the marking, of a ballot to be tabulated by a vote tallying system, or a piece of mechanical or electronic equipment used to directly record votes and to accumulate results for a number of issues or offices from a series of voters; and

(11) "Vote tallying system" means a piece of mechanical or electronic equipment and associated data processing software used to tabulate votes cast on ballot cards or otherwise recorded on a voting device or to prepare that system to tabulate ballot cards or count votes.

NEW SECTION

WAC 434-75-030 PRESIDENTIAL PREFERENCE PRIMARY—WHEN HELD. Washington's presidential preference primary shall be held on the fourth Tuesday in May of each year in which a president of the United States is to be elected, or on a date selected by the secretary of state pursuant to the provisions of RCW 29.19.020, WAC 434-75-040, and 434-75-050.

NEW SECTION

WAC 434-75-040 PRESIDENTIAL PREFERENCE PRIMARY—CHANGING THE DATE. The secretary of state may, pursuant to the provisions of RCW 29.19.020 and in the manner provided by WAC 434-75-050, change the date of the presidential preference primary in order to advance the cause of a regional primary.

NEW SECTION

WAC 434-75-050 PROCEDURES TO BE FOLLOWED WHEN CHANGING PRIMARY DATE. In the event the secretary of state chooses to change the date of the presidential primary from the fourth Tuesday in May to another date, he or she shall, not later than June 1 of the odd-numbered year immediately preceding the year in which a president is to be elected, notify the following persons or organizations, in writing, of his or her intent to change the date:

(1) The governor of the state of Washington;

(2) The speaker of the Washington state house of representatives;

(3) The president of the Washington state senate;

(4) The county auditors of the state of Washington;

(5) The chairpersons of each major political party's state central committee;

(6) The chairpersons of each major political party's national committee;

- (7) The secretaries of state of the northwest states;
- (8) The Federal Election Commission;
- (9) Any other person or organization he or she deems appropriate.

Not later than thirty days following the notification of intent to change the date, the secretary shall notify the above listed persons of his or her final decision regarding the date of the primary.

#### NEW SECTION

**WAC 434-75-060 DESIGNATION OF CANDIDATES BY SECRETARY OF STATE.** Not less than ninety days prior to the date set for the presidential primary, the secretary of state shall compile a list of persons whose candidacy for the office of President of the United States is generally advocated or whose candidacy is generally recognized in the national news media. He or she shall promptly notify, in writing, all persons and organizations listed in WAC 434-75-050 and all candidates so designated.

#### NEW SECTION

**WAC 434-75-070 REMOVAL FROM LIST OF DESIGNEES.** Each candidate designated by the secretary of state shall appear on the primary ballot unless, not later than thirty-five days prior to the primary, the candidate files with the secretary of state a signed, notarized statement that he or she is not now and will not become a candidate for president. The secretary of state shall promptly notify all persons and organizations notified under the provisions of WAC 434-75-050, and all remaining candidates, of any names removed from the list of candidates.

#### NEW SECTION

**WAC 434-75-080 PETITION PROCESS FOR BALLOT ACCESS.** Members of a major political party may petition the secretary of state to include on the presidential primary ballot the name of any candidate not designated by the secretary. Petitions may be circulated for signatures not earlier than the first day following the designation of candidates by the secretary of state pursuant to the provisions of WAC 434-75-060. Such petitions must be filed with the secretary of state not later than the thirty-ninth day preceding the primary, shall be accompanied by a signed, notarized statement by the candidate concerned giving his or her consent to the nomination, and must bear the signatures of at least one thousand persons registered to vote in the state of Washington at the time the petition signatures are verified.

#### NEW SECTION

**WAC 434-75-090 FORM OF THE NOMINATING PETITION.** Nominating petitions shall be addressed to the secretary of state, be uniform in size, and shall contain the following:

- (1) The name of the candidate and his or her political party;

- (2) A statement that the persons signing the petition are registered voters of the state of Washington, that they are members of the political party of the person on whose behalf the petition is filed, and that they have only signed the petition once;

- (3) Numbered lines for no more than twenty signatures;

- (4) Space for the signature, printed name, and address at which each petition signer is registered to vote, including county of residence;

- (5) Space for the signer to list the name or number of his or her precinct, if known;

- (6) Space for the signer to indicate his or her party affiliation.

#### NEW SECTION

**WAC 434-75-100 VERIFICATION OF SIGNATURES BY SECRETARY OF STATE.** Upon receipt of any nominating petition filed pursuant to WAC 434-75-080, the secretary of state shall promptly canvass and verify the signatures in order to determine the validity of the petition. The secretary may reject, without verification of signatures, any petition that clearly bears insufficient signatures, any petition that is not accompanied by a consent to the nomination by the candidate, or any petition that is in a form inconsistent with the provisions of WAC 434-75-090. To the extent that it is not inconsistent with other provisions of these rules, the canvass and verification process may be observed in the same manner as that specified in RCW 29.79.200 for the observation of the canvass and verification of initiative signatures. The secretary of state shall reject the signature of any person not registered to vote in Washington, and any multiple signatures from the same voter. No signature may be rejected solely on the basis that it is not accompanied by the precinct name or number of the signer.

#### NEW SECTION

**WAC 434-75-110 DETERMINATION OF INSUFFICIENT SIGNATURES.** In the event the secretary of state determines that the petition contains insufficient valid signatures he or she shall notify the person filing the petition and the candidate on whose behalf the petition was filed. Persons so notified may submit additional signatures in support of the nomination as long as those signatures are submitted prior to the deadline established by RCW 29.19.030. The secretary's final determination of the sufficiency or insufficiency of any petition filed pursuant to the provisions of WAC 434-75-080 may be appealed to the superior court of Thurston County. The court shall promptly hear such challenges and the superior court decision shall be final.

#### NEW SECTION

**WAC 434-75-120 CERTIFICATION OF CANDIDATES.** In the event the secretary determines a petition bears sufficient signatures he or she shall include the name of the candidate concerned on his or her official certification of candidates to the county auditors. This certification shall be done as soon as possible following

the last day for candidates to withdraw, but in any event not later than the fourth Tuesday prior to the primary. The secretary shall send a copy of this certification to all persons notified of the original list of designated candidates.

#### NEW SECTION

**WAC 434-75-130 CONDUCT OF THE PRESIDENTIAL PREFERENCE PRIMARY.** All procedures relevant to the conduct of a presidential preference primary pursuant to chapter 29.19 RCW, including the form of the ballot, the arrangement of candidate names, and the processing of absentee ballots and vote-by-mail ballots shall be the same as the procedures for the conduct of any partisan primary within the state except as may be modified by chapter 29.19 RCW or the rules contained in this chapter.

#### NEW SECTION

**WAC 434-75-140 PARTY DECLARATION BY VOTER.** Each registered voter desiring to participate in the presidential preference primary shall, prior to being issued either an absentee or a regular ballot, sign a statement in substantially the following form:

I, the undersigned registered voter of the state of Washington, hereby declare my desire to participate in the presidential preference primary of the party designated on this form, and I further request that the ballot of that party be provided to me.

\_\_\_\_\_  
Signature of voter

\_\_\_\_\_  
Address if different from  
registration address

#### NEW SECTION

**WAC 434-75-150 BALLOT REQUEST FORM USED AT THE POLLING PLACE.** (1) The ballot request statement required by RCW 29.19.050 and WAC 434-75-140, when provided to a voter desiring to vote at a polling place, may appear on either:

(a) A paper form of uniform size. The form shall identify the primary and the date, and shall have space for the voter to sign his or her name and address and shall also provide a method whereby the voter can indicate party preference. The voter's precinct shall be clearly indicated on the form. Multiple-part reproducible forms may be used for this purpose. The signed ballot request forms shall be collected by the precinct election officers and transmitted to the county auditor at the end of the voting day; or

(b) A special format printed in the poll book which would permit the voter to sign his or her name and address and to indicate his or her political party preference; or

(c) Separate poll books for each major political party.

(2) The county auditor shall provide appropriate instructions for the precinct election officers regarding the handling, maintaining, and transportation of the ballot request forms or statements.

#### NEW SECTION

**WAC 434-75-160 BALLOT—SEPARATION OF POLITICAL PARTIES.** Separate ballots for each major political party shall be maintained as follows:

(1) Where a paper ballot is used, a separate ballot shall be prepared for each major political party containing the names certified by the secretary of state pursuant to the provisions of WAC 434-75-120;

(2) Where a ballot card is used, separate ballot cards shall be provided for each political party and for any alternate ballot issued pursuant to the provisions of WAC 434-75-200. Additionally, counties using voting systems which have ballot pages shall use a separate page or pages for each party. Counties may also employ separate voting devices to distinguish the types of ballots used within a precinct. Ballot cards must contain a machine readable pre-punch or a machine readable ballot code to distinguish, within each precinct, each ballot type used;

(3) Where a voting device is used that directly records the vote on mechanical equipment or on direct recording electronic equipment, separate voting labels shall be prepared for each major political party. The labels with the slate of candidates for each major political party shall be easily discernible on the voting panel. The mechanical voting device or direct recording electronic voting device shall be programmed so that the individual voter shall be able to vote only for candidates listed on the slate of the major political party indicated on the ballot request form.

#### NEW SECTION

**WAC 434-75-170 SECRETARY OF STATE TO DESIGNATE COLOR OF BALLOTS AND ELECTION MATERIALS.** Not later than six months prior to the date of the presidential preference primary, the secretary of state shall determine the color of ballot to be used for each political party participating in the primary, and shall notify the county auditors of the colors designated. In the event Oregon and/or Idaho conduct a presidential preference primary on the same day as Washington, and either or both states are using specific colors for each political party, the secretary shall, wherever practical, designate the same colors for use in Washington. If Oregon and Idaho are both holding a primary, and have selected different colors, the secretary shall designate colors that, in his or her judgment, best serve the interests of the voters. All absentee ballots, ballot cards, ballot pages, paper ballots, and voting labels used at the presidential primary shall conform to the colors designated by the secretary of state.

#### NEW SECTION

**WAC 434-75-180 BALLOTS—ARRANGEMENT OF NAMES—INSTRUCTIONS.** The names of all candidates for a party's nomination for the office of president shall be listed alphabetically in a column on the ballot. On paper ballots, a printed box shall be placed adjacent to each candidate's name. Provision for the voter to write-in the name of another candidate shall be provided on each ballot. Unless the voter indicates



otherwise, or unless the write-in vote is made for a person whose name appears on the ballot of another political party, the political party of the person whose name is written in shall be presumed to be the same as that indicated on the ballot request form. The names of candidates on the presidential preference primary ballot shall not be rotated. The ballot shall contain instructions to the voters in substantially the following form:

"VOTE FOR ONE. IF YOU VOTE FOR MORE THAN ONE CANDIDATE OR IF YOU VOTE FOR THE CANDIDATE OF A PARTY OTHER THAN THE PARTY INDICATED ON YOUR BALLOT REQUEST FORM, YOUR VOTE IN THE PRESIDENTIAL PREFERENCE PRIMARY WILL NOT BE COUNTED."

The instructions shall be printed large enough to be easily read by the voter.

NEW SECTION

WAC 434-75-190 SPECIAL ELECTION HELD IN CONJUNCTION WITH THE PRESIDENTIAL PREFERENCE PRIMARY. If a special election is scheduled concurrently with the presidential preference primary pursuant to RCW 29.13.010 or 29.13.020, all measures or candidates for office for which the voters are eligible to vote shall be listed on the ballot in such a manner that each voter can identify and vote on those candidates or measures in addition to the presidential preference primary candidates. However, nothing in this section shall prevent the use of an alternate ballot for special elections as provided by WAC 434-75-200.

NEW SECTION

WAC 434-75-200 QUESTIONED BALLOTS/ALTERNATE BALLOTS—USE BY POLL WORKERS WHEN VOTER DECLINES TO IDENTIFY PARTY. In those instances where a special election is being held in conjunction with a presidential primary and the voter either declines to specify political party or indicates that he or she intends to vote only in a special election being held in conjunction with the primary, the voter may be issued a questioned ballot and informed that votes cast for candidates in the primary will not be counted. In lieu of issuing a questioned ballot, county auditors may provide for an alternate ballot which would permit voters to indicate their votes in any special election but which would not list the candidates of any political party.

NEW SECTION

WAC 434-75-210 PROVISIONS REGARDING BALLOTS APPLICABLE TO ABSENTEES. Wherever applicable, the provisions regarding the arrangement and form of the presidential preference primary ballot shall apply to both absentee ballots and to those ballots used at the polling place.

NEW SECTION

WAC 434-75-220 ABSENTEE BALLOT REQUEST FORM. Any absentee ballot request form produced for use in the presidential primary must include a space for the voter to indicate in which party primary he

or she desires to participate, as provided by RCW 29.19.050 and WAC 434-75-140. The absentee request shall also contain a statement in substantially the following form:

"Unlike the regular state primary, under Washington's presidential preference primary law you may only request the ballot of one political party. Please indicate below which party ballot you are requesting. You will be sent a ballot containing only the names of candidates from that party."

Absentee ballot requests for the presidential primary shall in all other respects contain the information required, and be in the form specified, by chapter 29.36 RCW and chapter 434-40 WAC. The secretary of state shall design an absentee ballot application form for the presidential preference primary and shall provide to each county auditor, and to any other person or organization upon request, a sample of that request form.

NEW SECTION

WAC 434-75-230 INCOMPLETE ABSENTEE BALLOT REQUESTS. Except as otherwise provided by these rules, incomplete absentee ballot applications for the presidential primary shall be handled in the manner provided by WAC 434-40-130 through 434-40-160.

NEW SECTION

WAC 434-75-240 LACK OF PARTY DESIGNATION. In the event the auditor receives a request for an absentee ballot that does not include party designation, he or she shall send the ballots of each major political party to the voter, together with instructions in substantially the following form:

Dear Voter:

We are in receipt of your Presidential Preference Primary absentee ballot application. However, your application is incomplete in that you did not indicate which political party's ballot you are requesting. Under Washington's Presidential Primary law, this information must be provided prior to your ballot being counted. We have, therefore, enclosed the ballots of each political party. You are entitled to vote the ballot of only one political party, and that must be the party indicated on the party designation/request form. Please complete the enclosed information and return it together with, BUT SEPARATE FROM, the appropriate party ballot. DO NOT PLACE THE PARTY REQUEST FORM IN THE BALLOT SECURITY ENVELOPE.

I hereby request a ballot for the following major political party: (CHECK ONE)

\_\_\_\_\_ DEMOCRATIC      \_\_\_\_\_ REPUBLICAN

x \_\_\_\_\_  
(signature of voter)

Each county auditor shall devise a method of ensuring that the ballot returned by the voter is of the party indicated on the request form without compromising the secrecy of the ballot.

**NEW SECTION**

**WAC 434-75-250 ONGOING ABSENTEE VOTERS.** Each county auditor shall, prior to each presidential preference primary, either:

(1) Send to each ongoing absentee voter the ballots of each major political party, together with instructions and a ballot request form similar to those specified in WAC 434-75-240; or

(2) Send a ballot request form to each ongoing absentee voter in advance of the presidential preference primary, requesting that the voter indicate on that form which party ballot he or she desires. In the event a voter does not return a ballot request form in advance of the date for mailing ongoing absentee ballots, the county auditor shall mail the ballots of both parties in the manner specified under subsection (1) of this section.

Returned ballots issued in the manner specified by subsection (2) of this section shall be processed in the same manner as absentees issued under the provisions of WAC 434-75-240.

**NEW SECTION**

**WAC 434-75-260 CANVASSING AND TABULATION OF PRESIDENTIAL PRIMARY ABSENTEE BALLOTS.** Unless otherwise provided by law or these rules, absentee ballots for the presidential preference primary shall be processed, canvassed, and tabulated, by legislative and congressional district, in the same manner as absentee ballots for other elections.

**NEW SECTION**

**WAC 434-75-270 VOTE-BY-MAIL PRECINCTS.** Wherever applicable, presidential preference primary ballots for voters in vote-by-mail precincts shall be issued and processed in the same manner as ballots issued to ongoing absentee voters, as provided by statute and these rules.

**NEW SECTION**

**WAC 434-75-280 BALLOTS NOT TABULATED.** The county auditor shall not count presidential primary ballots in the following cases:

(1) Where the voter has no request on file indicating which political party ballot he or she requested;

(2) Where the voter has voted the ballot of a party other than the one he or she requested;

(3) Where the voter has attempted to vote more than once;

(4) Where the voter has voted for candidates of more than one political party, in which case all such votes shall be rejected;

(5) Where a write-in vote is made for a person who has declined the nomination as provided by WAC 434-75-070;

(6) Where a write-in vote is made with the incorrect party designation;

(7) Where the person issued a questioned or challenged ballot does not otherwise satisfy the constitutional or statutory requirements for voting.

In those instances where the auditor is not sure whether a ballot should be counted, he or she shall refer that ballot to the county canvassing board for their determination. The auditor shall maintain a record of those ballots not counted and the reason why they were not part of the official canvass of the primary.

**NEW SECTION**

**WAC 434-75-290 CANVASSING AND CERTIFICATION OF PRESIDENTIAL PREFERENCE PRIMARY.** County canvassing boards shall certify the results of the presidential primary, by congressional district, not later than the seventh day following the primary. The county auditor shall send one original copy of the returns by mail and one copy by electronic facsimile transmission or by messenger on the same day the returns are certified. Wherever applicable, the other procedures established by chapter 29.62 RCW for the canvassing of state primaries shall apply to the canvassing of a presidential preference primary. Not later than the tenth day following the presidential preference primary, the secretary of state shall notify the persons and organizations listed in WAC 434-75-050 of the votes cast for each candidate listed on the ballot of each major political party, of write-in votes cast for any candidate receiving at least five percent of the votes cast for candidates of that party, and the aggregate total of votes cast for all write-in candidates receiving less than five percent of the total votes cast.

**NEW SECTION**

**WAC 434-75-300 CANVASSING AND TABULATION OF OTHER SPECIAL ELECTIONS.** In those instances where other special elections are being held in conjunction with the presidential primary and where either the county auditor or the canvassing board has decided not to count a presidential primary ballot for one of the reasons specified in WAC 434-75-280, the votes cast for other issues on the ballot shall be counted if the voter has otherwise satisfied the constitutional, statutory, and regulatory requirements for voting.

**NEW SECTION**

**WAC 434-75-310 MANDATORY RECOUNT PROVISIONS DO NOT APPLY.** The provisions of chapter 29.64 RCW regarding mandatory recounts do not apply to the conduct of a presidential preference primary. However, recounts may be requested pursuant to the provisions of that chapter.

**NEW SECTION**

**WAC 434-75-320 POLITICAL PARTY PREFERENCE DATA—TRANSMITTAL TO THE MAJOR POLITICAL PARTIES.** No later than thirty days following the certification of the returns of the presidential preference primary by the secretary of state, the county auditor shall provide to the state central committee of each major political party, at actual reproduction

cost, the names and addresses of those voters participating in the primary for that major political party. This may be accomplished by either:

(1) Integrating the ballot request and party preference data with the regular voter registration file and producing a registered voter report containing the consolidated data in either machine-readable or printed format, which is provided to each major political party; or

(2) Providing to each major political party copies of the ballot request forms that indicate the primary in which the voter participated, segregated by precinct; or

(3) Providing each major political party with a copy of the poll book pages upon which the voter has indicated the primary in which he or she participated, segregated by precinct, and a separate report covering the preferences of absentee voters.

#### NEW SECTION

WAC 434-75-330 RETENTION OF ELECTION MATERIAL. The county auditor shall maintain all presidential preference primary material, including ballot request forms, absentee ballot envelopes, poll books, and ballots, for a period of twenty-two months following the primary. Except for the ballot request form, the auditor shall, within sixty days following the certification of the returns by the secretary of state, remove from his or her files any other record of the party designation of any voter casting a ballot at the presidential preference primary.

#### NEW SECTION

WAC 434-75-340 CLAIMS FOR REIMBURSEMENT. Following the presidential preference primary each county auditor shall provide to the secretary of state a completed claim for reimbursement of expenses incurred by the county in conducting the primary. This cost shall be prorated with any other jurisdictions holding special elections in conjunction with the primary. The procedures for allocating such costs shall be the same as those prescribed by the office of the state auditor for election cost allocations to the state, cities, towns, and special purpose districts.

#### NEW SECTION

WAC 434-75-350 TIME FOR SUBMISSION AND PAYMENT OF CLAIMS FOR REIMBURSEMENT. Claims for reimbursement and supporting documents shall be submitted to the secretary of state not later than sixty days following the certification of the returns of the presidential preference primary. The secretary of state shall compile such claims and present them to the state legislature at the next succeeding legislative session. Upon the granting of the relief claims by the legislature the secretary of state shall issue a warrant to each county submitting a claim.

**WSR 91-18-013**  
**PERMANENT RULES**  
**SECRETARY OF STATE**  
[Filed August 26, 1991, 11:10 a.m.]

Date of Adoption: August 26, 1991.

Purpose: Implement the provisions of chapter 29.07 RCW, which allows for the registration of voters at Department of Licensing driver licensing facilities.

Statutory Authority for Adoption: Chapter 29.07 RCW.

Pursuant to notice filed as WSR 91-13-022 on June 11, 1991.

Effective Date of Rule: Thirty-one days after filing.  
August 26, 1991  
David M. Elliott  
Assistant Director  
of Elections

Chapter 434-26 WAC  
MOTOR VOTER

#### NEW SECTION

WAC 434-26-005 AUTHORITY AND PURPOSE. These rules are adopted under the authority of chapter 143, Laws of 1990, for the purpose of establishing standards and procedures for the registration of voters by driver license agents, at driver licensing facilities.

#### NEW SECTION

WAC 434-26-010 DEFINITIONS. As used in this chapter.

(1) "County auditor" and "auditor" mean the county auditor in a noncharter county or the officer, irrespective of title, having the overall responsibility to maintain voter registration information and his or her deputies as the context indicates;

(2) "Licensing agent" or "agent" mean the employees serving the public at the driver licensing offices operated by the department of licensing;

(3) "Applicant" means a United States citizen who is applying for, or renewing, a driver license or state identification card, under chapter 46.20 RCW.

(4) "Data" means computer information concerning an applicant that is common to both driver license and voter registration records. This includes name, address, date of birth, sex, the date of the application, the location of the office where the application was submitted, the applicant's driver license number, the applicant's Social Security number (if provided), and the applicant's previous driver license number if the applicant has changed names.

#### NEW SECTION

WAC 434-26-015 VOTER REGISTRATION AT DRIVER LICENSE FACILITIES. Pursuant to RCW 29.07.260 a person may register to vote or transfer a voter registration when he or she applies for or renews a driver license or state identification card. Nothing in these rules should be interpreted as allowing voter registration by mail.

**NEW SECTION**

**WAC 434-26-020 REGISTRATION PROCEDURE.** When processing each applicant, at a driver license agency, the agent will inquire whether the applicant wishes to register to vote or transfer their voter registration address. If the applicant wishes, the agent shall present a voter registration application (Exhibit A) and the applicant shall provide the following information in writing:

- (1) His or her full name;
- (2) The applicant's residence address for voting purposes, if it is different from the address on the driver license;
- (3) His or her mailing address, if it is different from the voter registration residence address;
- (4) Additional information on the physical location of the voting address if it is only identified by route or box. If the address is identified by route or box, the agent will require that the form contain either the legal description of the residence, or the names and locations of the nearest cross streets;
- (5) The last address at which he or she was registered to vote;

Additionally the applicant may provide the following information in writing:

- (a) Daytime phone number;
- (b) Place of birth;
- (c) Social Security number.

**NEW SECTION**

**WAC 434-26-025 OBTAINING ADDITIONAL INFORMATION FROM THE APPLICANT.** No other data will be required of the applicant. Additional information about the applicant will be gathered electronically from the applicant's department of licensing driver license computer record or driver license application.

**NEW SECTION**

**WAC 434-26-030 OATHS AND WARNINGS.** The agent will request that the applicant read the warning concerning fraudulent registration. The applicant will then sign an oath attesting to his or her citizenship. The applicant will also sign the application portion for an initiative signature record for the secretary of state's files.

The agent will then note the applicant's registration on the licensing system computer.

**NEW SECTION**

**WAC 434-26-035 CANCELLATION OF PREVIOUS NAME REGISTRATION.** If the applicant is changing his or her name the agent shall offer a cancellation card to be completed in applicant's previous name and returned to the agent to be forwarded to the secretary of state and the auditor in his or her county.

**NEW SECTION**

**WAC 434-26-040 TRANSFER OF INFORMATION FROM THE DEPARTMENT OF LICENSING TO THE SECRETARY OF STATE.** The completed

voter registration application forms will be transmitted by the department of licensing to the office of the secretary of state at least once each week.

**NEW SECTION**

**WAC 434-26-045 WEEKLY TRANSMITTAL OF DATA FROM THE DEPARTMENT OF LICENSING TO THE SECRETARY OF STATE.** Once each week the data processing division of the department of licensing will electronically transmit that week's computer data record of the voter registration transactions, to the office of the secretary of state. There will be one record for each transaction, each record will contain at least the following information:

The name, address, date of birth, sex, and driver's license number of the applicant, the applicant's Social Security number (if provided), the applicant's previous driver license number in the case of a name change, the date on which the application was submitted, and the location of the office at which the application was submitted.

**NEW SECTION**

**WAC 434-26-050 TRANSFER OF DATA, AND REPORTS FROM THE SECRETARY OF STATE TO THE COUNTY AUDITORS.** Each week the secretary of state will amend any computer record that requires an address for voting purposes that is different from the one supplied to the department of licensing. The computer records will then be sorted according to the county in which the voter applicant resides. The records will then be placed in the Uniform Transfer Format (Exhibit b) and copied to a disk or tape for shipment to the appropriate county auditor.

An exception report will be created for use by the secretary of state for voter applications where the address for voting purposes is different from the address provided by the department of licensing. Each county will receive a copy of this report with the computer disk.

The secretary of state shall produce a list of voter transactions by county. This list shall accompany the computer disk shipped to each county. This list shall contain at least the voter name, address, and mailing address.

**NEW SECTION**

**WAC 434-26-055 TRANSFER OF VOTER REGISTRATION FORMS TO COUNTIES.** The completed voter registration application forms will be sorted by county. If the voter has listed a previous address that is in another county or state the secretary of state shall copy the original registration and forward such copy to the appropriate county or state for cancellation of the former registration. The portion of the voter registration form that is the initiative signature card shall be detached and retained by the secretary of state. These forms will then be shipped to the county auditors along with the disk or tape copy of the matching computer records. This shipment will be made as soon as possible, no later than ten days after the secretary of state receives the data from the department of licensing.

The shipment shall be made by first class mail with the following exception; within forty-five days of any primary, general, or presidential preference primary the shipment shall be made via a "next day delivery" package delivery courier. If there are no applications for a county the secretary of state shall immediately notify the county auditor.

#### NEW SECTION

**WAC 434-26-060 PROCESSING RECORDS RECEIVED FROM THE SECRETARY OF STATE.** Whenever a county auditor receives a shipment of voter registration information from the secretary of state, he or she will process these records in a timely manner. Any voter registrations that the auditor receives for a voter residing in another county shall be forwarded to the appropriate county auditor as soon as possible after receipt, a hard copy of the computer data must accompany the card.

These records shall be processed into the auditor's existing data base by adding a voter identification number, precinct codes, levy codes and any other usual information. The signature card shall be included in the auditor's signature file.

#### NEW SECTION

**WAC 434-26-065 REIMBURSEMENT OF COUNTY AUDITORS AND THE DEPARTMENT OF LICENSING FOR ROUTINE TRANSACTION COSTS.** Each year at the end of the calendar year the county auditor and the state department of licensing may file a voucher with the secretary of state for reimbursement of costs. These costs must be associated with the data processing and shipping, incurred through the registration of voters by the department of licensing.

#### NEW SECTION

**WAC 434-26-900 REIMBURSEMENT OF COUNTY AUDITORS AND THE DEPARTMENT OF LICENSING FOR COSTS ASSOCIATED WITH IMPLEMENTATION OF THIS CHAPTER.** By June 1, 1992, county auditors and the department of licensing shall file all claims for reimbursement for expenses related to the development, testing, and implementation of this program and chapter, including the conversion to the Uniform Transfer Format. This will be the only opportunity for reimbursement of these expenses.

#### **WSR 91-18-014**

#### **PERMANENT RULES**

#### **DEPARTMENT OF LICENSING**

[Filed August 26, 1991, 1:03 p.m.]

Date of Adoption: August 21, 1991.

Purpose: To accommodate offerings in the United States by the World Class Canadian Companies.

Statutory Authority for Adoption: RCW 21.20.450.

Other Authority: RCW 21.20.240.

Pursuant to notice filed as WSR 91-14-089 on July 1, 1991.

Changes Other than Editing from Proposed to Adopted Version: WAC 460-11A-010 was changed to add the additional registration statement F-80.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: The director finds these rules are necessary or appropriate in the public interest or for the protection of investors and consistent with the purposes fairly intended by the policy and provisions of chapter 21.20 RCW.

Effective Date of Rule: Thirty-one days after filing.

August 21, 1991

Mary Faulk

Director

#### **Chapter 460-11A WAC MULTIJURISDICTIONAL DISCLOSURE SYSTEM**

#### NEW SECTION

**WAC 460-11A-010 MULTIJURISDICTIONAL DISCLOSURE SYSTEM.** The rules set forth in this chapter accommodate offerings in compliance with the multijurisdictional disclosure system as set forth in United States Securities and Exchange Commission Release No. 33-6902 (1991). For the purposes of this chapter, a "multijurisdictional offering" means a class of offering for which a registration statement designated as Form F-7, F-8, F-80, F-9, or F-10 by the Securities and Exchange Commission has been filed with the administrator.

#### NEW SECTION

**WAC 460-11A-020 TIME FOR TAKING EFFECT OF MULTIJURISDICTIONAL REGISTRATION STATEMENT.** The period of time under RCW 21.20.190(2) a registration statement must be on file before it becomes automatically effective shall be reduced from ten full business days to seven full business days for a multijurisdictional offering.

#### NEW SECTION

**WAC 460-11A-030 MULTIJURISDICTIONAL OFFERING FINANCIAL STATEMENTS.** A multijurisdictional offering registration statement may include, to the extent allowed by the Securities and Exchange Commission, financial statements and financial information that have been prepared in accordance with Canadian generally accepted accounting principles consistently applied.

#### NEW SECTION

**WAC 460-11A-040 MULTIJURISDICTIONAL OFFERING NOTICE OF CLAIM OF EXEMPTION UNDER RCW 21.20.320(11).** An issuer or underwriter conducting a multijurisdictional offering to existing security holders of the issuer pursuant to the exemption of RCW 21.20.320 (11)(b) may give notice to the director by filing the registration statement Form F-7 with a cover letter claiming that exemption.

**WSR 91-18-015**  
**WITHDRAWAL OF PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Filed August 26, 1991, 1:36 p.m.]

The department is withdrawing WSR 91-16-015, new WAC 388-37-029 at this time.

Leslie F. James  
 Administrative Services

**WSR 91-18-016**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Filed August 26, 1991, 1:38 p.m.]

**Original Notice.**

**Title of Rule:** New WAC 388-37-029 General assistance retrospective budgeting supplement for AFDC or FIP recipients.

**Purpose:** To implement ESHB 1330 passed by the 1991 state legislature which made the appropriations and authorized expenditures for the fiscal biennium ending January 30, 1993. The bill appropriated funds to administer a retrospective budgeting supplement for recipients of AFDC or FIP who suffer a two-month lag in receiving an assistance increase when they experience a loss of income below the payment standard due to reduced or loss of income.

**Statutory Authority for Adoption:** RCW 74.08.090.

**Statute Being Implemented:** RCW 74.04.005 (6)(b)(ii).

**Summary:** The department will supplement AFDC or FIP grants with general assistance funds when clients experience a reduction of income below the payment standard due to loss or permanent reduction of wages or loss of unemployment benefits.

**Reasons Supporting Proposal:** Under ESHB 1330, the state legislature appropriated \$1,008,000 to fund the provision in RCW 74.04.005 which allows the state to supplement grants of AFDC or FIP recipients due to loss of income that continues to be budgeted due to the retrospective budgeting process.

**Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement:** Rose Mary Micheli, Income Assistance, 586-3913.

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

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

**Explanation of Rule, its Purpose, and Anticipated Effects:** Same as above.

**Proposal Changes the Following Existing Rules:** See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

**Hearing Location:** OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on October 8, 1991, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop 5805, Olympia, Washington 98504, by October 9, 1991.

**Date of Intended Adoption:** October 22, 1991.

August 26, 1991  
 Leslie F. James, Director  
 Administrative Services

**NEW SECTION**

WAC 388-37-029 GENERAL ASSISTANCE RETROSPECTIVE BUDGETING SUPPLEMENT FOR AFDC OR FIP RECIPIENTS. (1) Within funds appropriated by the legislature, the department shall provide a general assistance supplemental payment to recipients of Aid to Families with Dependent Children (AFDC) or the Family Independence Program (FIP) who experience a temporary reduction in monthly income below their entitled benefit payment level. The temporary reduction occurs due to the retrospective budgeting of income.

(2) To qualify for the supplement, the recipient's loss of income must be due to one of the following reasons:

(a) Loss or reduction of wages due to termination of employment or reduction of regularly scheduled hours; or

(b) Loss of unemployment benefits.

(3) The department shall authorize payment based on the following conditions:

(a) The amount of the general assistance supplement shall equal the difference between the appropriate AFDC or FIP grant payment standard, including authorized additional requirements and FIP incentives, for the assistance unit and the total amount of the net income actually received; and

(b) In determining net income, the department shall not allow as deductions from gross income:

(i) Grant reductions for repayment of overpayments;

(ii) Earned income exemptions; or

(iii) Income lost that is not an allowable deduction according to AFDC or FIP income rules.

(4) General assistance supplements paid under this section shall be exempt income when determining eligibility or payment amount for the AFDC or FIP programs.

(5) The authorization of this retrospective budgeting supplement is limited to the specific amount of money the legislature appropriated for this supplemental assistance. When the department has expended the amount appropriated, the supplemental assistance benefit will end.

**WSR 91-18-017**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Order 3238—Filed August 27, 1991, 1:40 p.m., effective August 27, 1991, 12:01 a.m.]

**Date of Adoption:** August 26, 1991.

**Purpose:** The purpose of the amendment is to implement ESHB 1330 passed by the 1991 state legislature which made the appropriations and authorized expenditures for the fiscal biennium ending January 30, 1993. The bill appropriated funds to administer a retrospective budgeting supplement for recipients of AFDC or FIP who suffer a two-month lag in receiving an assistance increase when they experience a loss of income below the payment standard due to reduced or loss of income.

Citation of Existing Rules Affected by this Order: New WAC 388-37-029 General assistance retrospective budgeting supplement for AFDC or FIP recipients.

Statutory Authority for Adoption: RCW 74.08.090.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Under ESHB 1330, the state legislature appropriated \$1,008,000 to fund the provision in RCW 74.04.005 which allows the state to supplement grants of AFDC or FIP recipients due to loss of income that continues to be budgeted due to the retrospective budgeting process.

Effective Date of Rule: August 27, 1991, 12:01 a.m.

August 26, 1991

Leslie F. James, Director  
Administrative Services

### NEW SECTION

**WAC 388-37-029 GENERAL ASSISTANCE RETROSPECTIVE BUDGETING SUPPLEMENT FOR AFDC OR FIP RECIPIENTS.** (1) *Within funds appropriated by the legislature, the department shall provide a general assistance supplemental payment to recipients of Aid to Families with Dependent Children (AFDC) or the Family Independence Program (FIP) who experience a temporary reduction in monthly income below their entitled benefit payment level. The temporary reduction occurs due to the retrospective budgeting of income.*

(2) *To qualify for the supplement, the recipient's loss of income must be due to one of the following reasons:*

(a) *Loss or reduction of wages due to termination of employment or reduction of regularly scheduled hours, or*

(b) *Loss of unemployment benefits.*

(3) *The department shall authorize payment based on the following conditions:*

(a) *The amount of the general assistance supplement shall equal the difference between the appropriate AFDC or FIP grant payment standard, including authorized additional requirements and FIP incentives, for the assistance unit and the total amount of the net income actually received; and*

(b) *In determining net income, the department shall not allow as deductions from gross income:*

(i) *Grant reductions for repayment of overpayments;*

(ii) *Earned income exemptions; or*

(iii) *Income lost that is not an allowable deduction according to AFDC or FIP income rules.*

(4) *General assistance supplements paid under this section shall be exempt income when determining eligibility or payment amount for the AFDC or FIP programs.*

(5) *The authorization of this retrospective budgeting supplement is limited to the specific amount of money the legislature appropriated for this supplemental assistance. When the department has expended the amount*

*appropriated, the supplemental assistance benefit will end.*

**WSR 91-18-018**  
**NOTICE OF PUBLIC MEETINGS**  
**COMMISSION ON**  
**ASIAN AMERICAN AFFAIRS**  
[Memorandum—August 21, 1991]

Our commission meeting on September 21, 1991, in Kennewick will be held on September 22, 1991, in Seattle. If you have any questions, please contact our Seattle office at 464-5820 or 576-5820 scan.

**WSR 91-18-019**  
**NOTICE OF PUBLIC MEETINGS**  
**WASHINGTON STATE LIBRARY**  
[Memorandum—August 22, 1991]

Thursday, September 12, 1991, the Washington State Library Commission will meet for a staff briefing in the Board Room, Yakima Regional Library, 102 North Third Street, Yakima, WA, beginning at 4:30 p.m.

Friday, September 13, 1991, the Washington State Library Commission will hold its regular quarterly business meeting in the Auditorium, Yakima Regional Library, 102 North Third Street, Yakima, WA, beginning at 10:00 a.m.

**WSR 91-18-020**  
**EMERGENCY RULES**  
**SUPERINTENDENT OF**  
**PUBLIC INSTRUCTION**  
[Order 91-19—Filed August 27, 1991, 10:42 a.m.]

Date of Adoption: August 27, 1991.

Purpose: To set forth policies and procedures for a teacher assistance program, chapter 392-196 WAC.

Citation of Existing Rules Affected by this Order: Repealing WAC 392-196-020; and amending WAC 392-196-005, 392-196-045, 392-196-080, 392-196-085, and 392-196-100.

Statutory Authority for Adoption: RCW 28A.405.450 and 28A.415.010.

Pursuant to RCW 34.05.350 the agency for good cause finds that state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this Finding: Newly enacted state legislation requires adoption prior to school year 1991-92 to carry out intent of legislature.

Effective Date of Rule: Immediately.

August 27, 1991  
Judith A. Billings  
Superintendent of  
Public Instruction



AMENDATORY SECTION (Amending Order 18, filed 7/19/90, effective 8/19/90)

WAC 392-196-005 **AUTHORITY.** The authority for this chapter is RCW 28A.405.450 which authorizes the superintendent of public instruction to adopt rules to establish and operate a teacher assistance program and RCW 28A.415.010 which authorizes the educational service district to administer, coordinate, and act as fiscal agent for the teacher assistance program.

AMENDATORY SECTION (Amending Order 16, filed 7/3/90, effective 8/3/90)

WAC 392-196-045 **DEFINITION—SCHOOL DISTRICT WORKSHOPS.** As used in this chapter, the term "school district workshops" shall mean an in-service training program sponsored or approved by the school district for the purpose of providing professional training for the mentors and the beginning teachers in ((one or more of the following:

- (1) Communication skills,
- (2) Teacher effectiveness, and/or
- (3) School district policies and procedures)) areas of need as identified by participating teams. This training will be in addition to regularly required school district staff development activities.

Such workshops shall be no longer than two days in length, but need not be consecutive days, and shall not be held during school hours. School districts will be provided fifty dollars per team, per workshop to support the costs associated with providing two days of training.

AMENDATORY SECTION (Amending Order 18, filed 7/19/90, effective 8/19/90)

WAC 392-196-080 **SCHOOL DISTRICT APPLICATION TO ((SPI)) ESD FOR PARTICIPATION IN THE TEACHER ASSISTANCE PROGRAM.** Any district may apply to ((the superintendent of public instruction)) its educational service district for participation in the teacher assistance program. The application shall require the superintendent of the district to provide the following assurances:

(1) The board of directors of the district has reviewed the requirements of this chapter and has agreed to the conditions therein.

(2) The mentor teacher shall be paid a mentor teacher stipend.

(3) The beginning[/experienced] teacher shall be paid a beginning[/experienced] teacher stipend.

(4) The beginning[/experienced] teacher and mentor shall be required to attend and shall be reimbursed by the district for travel expenses for attendance at the educational service district sponsored workshops or training sessions.

(5) The mentor [teacher, the] [and] beginning [teacher, and the experienced] teacher[s] shall be released from teaching responsibilities in order to jointly or separately observe each other or observe colleagues in teaching situations.

(6) The district shall provide for or approve two days of workshops as training sessions as defined in WAC 392-196-045. The mentor and beginning [or participating experienced] teacher[s] shall be required to attend together and shall be reimbursed by the district for expenses for attendance at the two school district sponsored or approved workshops or training sessions.

(7) The total released time from classroom teaching as required by subsection (5) of this section shall be at least twenty-four scheduled instructional hours per school year but no more than twenty-four scheduled instructional hours shall be paid for with funds made available under this chapter.

(8) Mentor teachers shall not be involved in evaluations of their beginning [or experienced] teachers conducted pursuant to RCW 28A.405.100.

(9) The mentor [teacher,] [and] beginning teacher[,], and experienced teacher shall be required to complete and forward to the ((superintendent of public instruction)) educational service district such evaluation reports of the teacher assistance program as requested by the ((superintendent of public instruction)) educational service district.

(10) Mentor teachers shall periodically inform their principals respecting the contents of training sessions and other program activities.

(11) The superintendent of the district shall supply the ((superintendent of public instruction)) educational service district, at times specified by the ((superintendent of public instruction)) educational service district, such information as requested regarding the teacher assistance program, including agendas and evaluation material from each district sponsored or approved workshop or training session.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending Order 37, filed 11/2/90, effective 12/3/90)

WAC 392-196-085 **SELECTION PROCESS.** ((Nominations for the teacher assistance program must be received by the office of the superintendent of public instruction by 5:00 p.m. September 15 of a given year. PROVIDED, That if September 15 falls on a weekend, the nominations must be received by the office of the superintendent of public instruction by 5:00 p.m. on the Monday following September 15. Applications will be accepted based upon date of receipt at the office of the superintendent of public instruction until funding is depleted.)) Specific numbers of nominations will be allocated to each ESD based upon the percentage of public school students in each ESD. ((If all ESD nominations are not allocated by the Friday after Labor Day, remaining applications will be accepted on the basis of the date received.)) Each educational service district will submit to the superintendent of public instruction the procedure, including timelines, it will follow in selecting participants.

AMENDATORY SECTION (Amending Order 16, filed 7/3/90, effective 8/3/90)

WAC 392-196-100 DISTRIBUTION OF STATE MONEYS FOR THE TEACHER ASSISTANCE PROGRAM. The superintendent of public instruction shall issue grant awards to the ((participating)) educational service districts which in turn shall reimburse school districts according to the dollar amount per team established pursuant to WAC 392-196-095.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 392-196-090 SUPERINTENDENT OF PUBLIC INSTRUCTION CONSULTATION.

**WSR 91-18-021**  
**RULES COORDINATOR**  
**BASIC HEALTH PLAN**  
 [Filed August 27, 1991, 1:23 p.m.]

We have designated Leslie Thorpe as rules coordinator for the Washington Basic Health Plan. Please direct all correspondence to her attention, as follows: Leslie

Thorpe, Assistant Director for External Relations, Washington Basic Health Plan, 1220 Eastside Street S.E., Mailstop HL-11, Olympia, WA 98504.

Gary L. Christenson  
 Acting Director

**WSR 91-18-022**  
**PERMANENT RULES**  
**DEPARTMENT OF TRANSPORTATION**  
 [Order 72—Filed August 27, 1991, 1:55 p.m.]

Date of Adoption: August 22, 1991.

Purpose: To change the effective date for all Washington state ferry fares to July 1, 1991, and also to include a joint ferry-transit monthly pass.

Statutory Authority for Adoption: RCW 47.56.030 and 47.60.326.

Pursuant to notice filed as WSR 91-14-031 on June 26, 1991.

Effective Date of Rule: Thirty-one days after filing.  
 August 22, 1991  
 James Henning  
 Chairman  
 Transportation Commission

AMENDATORY SECTION (Amending Order 67, Resolution No. 354, filed 6/30/89)

WAC 468-300-010 FERRY PASSENGER TOLLS.  
 Effective 03:00 a.m. ((September 11, 1989)) July 1, 1991

ROUTES	Full Fare	Half Fare**	COM-MU-TATION 20 Rides *** ****	Bicycle Surcharge *****
<b>Via Passenger-Only Ferry</b>				
Seattle-Vashon Seattle-Southworth Seattle-Bremerton	3.30	1.65	19.80	N/C
<b>Via Auto Ferry</b>				
Fauntleroy-Southworth Seattle-Bremerton Seattle-Winslow Edmonds-Kingston	3.30	1.65	19.80	.50
Pt. Townsend-Keystone	1.65	.85	19.80	.25
Fauntleroy-Vashon Southworth-Vashon Pt. Defiance-Tahlequah Mukilteo-Clinton	2.15	1.10	12.90	.50
Anacortes to Lopez, Shaw, Orcas or Friday Harbor	4.65	2.35	27.90	1.00
Anacortes to Sidney and Sidney to all destinations	6.05	3.05	N/A	2.50
Between Lopez, Shaw, Orcas***** and Friday Harbor	N/C	N/C	N/C	2.25

Effective 03:00 a.m. ((September 11, 1989)) July 1, 1991

ROUTES	Full Fare	Half Fare**	COM-MU-TATION 20 Rides *** ****	Bicycle Surcharge *****
From Lopez, Shaw, Orcas and Friday Harbor@ to Sidney	2.25	1.25	N/A	1.00

- @These fares rounded to the nearest multiple of \$ .25.
- \*These routes operate as a one-point toll collection system.
- \*\*Half Fare

Children - Children under five years of age will be carried free when accompanied by parent or guardian. Children five through eleven years of age will be charged half-fare. Children twelve years of age will be charged full-fare.

Senior Citizens - Passengers and driver, age 65 and over, with proper identification establishing proof of age, may travel at half-fare tolls on any route.

Handicapped - Any individual who, by reason of illness, injury, congenital malfunction, or other incapacity or disability is unable without special facilities or special planning or design to utilize ferry system services, may travel at half-fare tolls on any route upon presentation of a WSF Handicapped Travel Permit or Regional Reduced Fare Permit at time of travel. In addition, those handicapped persons who require attendant care while traveling on the ferries, and are so certified by their physician, may obtain an endorsement on their WSF Handicapped Travel Permit and such endorsement shall allow the attendant to also travel at half fare.

Bus Passengers - Passengers traveling in vehicles licensed as stages and buses, unless traveling under an annual permit, will be charged half-fare.

Medicare Card Holders - Any person holding a Medicare card duly issued to that person pursuant to Title II or Title XVIII of the Social Security Act may travel at half-fare tolls on any route upon presentation of a WSF Handicapped Travel Permit or a Regional Reduced Fare Permit at time of travel.

NOTE: Half-fare privilege does not include vehicle.

((\*))\*\*\*Commutation tickets shall be valid only for 90-days from date of purchase after which time the tickets shall not be accepted for passage. Washington state ferries shall enter into agreements with banks to sell commutation tickets.

\*\*\*\*A joint ferry-transit monthly pass may be available in conjunction with a public transit operating authority for travel on a particular route. The pass enables the pass-holder to ride aboard WSF ferry vessels and transit vehicles for an unlimited number of trips during the validated month for the pass. The pass-holder may board as a bus passenger, a walk-on, or a passenger of a vehicle at any time of the day, seven days a week. The pass can be shared with friends and family; however, it can only be used once on any one sailing or bus trip. The WSF portion of the monthly pass shall be priced at the commutation rate for 40 rides for the particular route. The cost of the bus portion of the pass shall be established by the public transit operating authority. The pass will be accepted for travel on any route of equal or lesser fare.

- \*\*\*\*\*Inter-island passenger fares included in Anacortes tolls.
- \*\*\*\*\*Bicycle surcharge is in addition to the appropriate passenger fare.

PROMOTIONAL TOLLS

A promotional rate may be established at the discretion of the secretary of transportation for a specific discount (not to exceed 50 percent of full fare) and effective only at designated times on designated routes (not to exceed 100 days per year on any one route).

**AMENDATORY SECTION** (Amending Order 67, Resolution No. 354, filed 6/30/89)

**WAC 468-300-020 AUTO, MOTORCYCLE, AND STOWAGE FERRY TOLLS.**

Effective 03:00 a.m. ((September 11, 1989)) July 1, 1991

	AUTO** INCL. DRIVER		MOTORCYCLE INCL. DRIVER *****	
	One Way	Commutation 20 Rides ***	One Way	Commutation 20 Rides ***
Fauntleroy-Southworth Seattle-Bremerton Seattle-Winslow Pt. Townsend-Keystone Edmonds-Kingston	5.55	88.80	3.05	40.65
Fauntleroy-Vashon Southworth-Vashon Pt. Defiance-Tahlequah	* 7.50	60.00	4.10	27.35
Mukilteo-Clinton	3.75	60.00	2.05	27.35
		10 Rides		
Anacortes to Lopez, Shaw, Orcas or Friday Harbor	11.60 * 13.85 15.85	46.40 55.40 63.40	7.15 8.20 9.50	47.65 54.65 63.35
Anacortes to Sidney and Sidney to all destinations	26.05	N/A	13.15	N/A
Between Lopez, Shaw, Orcas and Friday Harbor **** @	6.50	26.00	2.25	N/A
From Lopez, Shaw, Orcas@ and Friday Harbor to Sidney	13.25	N/A	6.00	N/A

@These fares rounded to the nearest multiple of \$ .25.

\*These routes operate as a one-point toll collection system.

\*\*Vanpools - A commuter vanpool which carries seven 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 purchase for a \$10 fee, a permit valid for a three-month period valid only during the hours shown on the permit. The permit for commuter pool agency vanpools shall be valid for one year. By July 1, 1990, all vanpools will be required to have tax exempt or vanpool specialized licenses. The fee for private vanpool permits will be reduced from ten dollars per quarter to ten dollars per year to coincide with the fee charged to public vanpools, effective July 1, 1990. These hours are selectable by the purchaser but shall designate two periods of use each day not to exceed two hours per period. The permit so purchased shall allow passage of the vehicle only during the valid periods. All riders in the van, including the driver, shall pay the applicable passenger fare. Except that the minimum total paid for all riders in the van shall not be less than the amount equal to four times the applicable passenger fare.

\*\*\*Commutation tickets shall be valid only for 90-days from date of purchase after which time the ticket shall not be accepted for passage. Washington state ferries shall enter into agreements with banks to sell commutation tickets.

\*\*\*\*Tolls collected westbound only.

\*\*\*\*\* Carry on items including kayaks, canoes and other items of comparable size which are typically stowed on the vehicle deck of the vessel shall be charged at the motorcycle rate. This rate includes the walk-on passenger carrying on the item to be stowed.

**SUMMER SURCHARGE**

A 20% surcharge shall be applied to coincide with the summer schedule period to regular, noncommutation auto and noncommercial vehicles with trailers and oversize vehicles.

**PENALTY CHARGES**

Owner of vehicle without driver will be assessed a \$50.00 penalty charge.

Overhang on passenger vehicles will be assessed a penalty charge of 10¢ per lineal foot of overhang in addition to regular applicable tolls, except that no charge for overhang will be assessed when overall length of vehicle and overhang is less than twenty feet. A fraction of a foot of overhang in excess of six inches will be counted as one foot in assessment of charge for overhang.

**SPECIAL SCHOOL RATE**

School groups when traveling in authorized school vehicles for institution-sponsored activities shall be assessed a flat fee of \$1.00 per vehicle load of students and/or advisors and staff. The flat fee shall be in addition to regular vehicle and drive toll. Private vehicles need letter of authorization.

NOTE: Special school rate is \$2.00 on routes where one-way only toll systems are in effect. Special student Rate not available on

Anacortes-Sidney, B.C. route beginning the third Sunday in June and ending the third Saturday in September due to limited space.

**PROMOTIONAL TOLLS**

A promotional rate may be established at the discretion of the secretary of transportation for a specified discount (not to exceed 50 percent of full fare) and effective only at designated times on designated routes (not to exceed 100 days per year on any one route).

**AMENDATORY SECTION (Amending Order 67, Resolution No. 354, filed 6/30/89)**

**WAC 468-300-040 TRUCKS AND TRUCKS WITH TRAILER FERRY TOLLS.**

Effective 03:00 a.m. ((September 11, 1989)) July 1, 1991

ROUTES	INCL. DRIVER OVERALL UNIT LENGTH								Cost Per Ft. over 78 Ft.
	Class I ***	Class II	Class III	Class IV	Class V	Class VI	Class VII	Class VIII	
	Under 18'	18' to Under 28'	28' to Under 38'	38' to Under 48'	48' to Under 58'	58' to Under 68'	68' to Under 78'	Over 78'	
Fauntleroy-Southworth Seattle-Bremerton Seattle-Winslow Pt. Townsend-Keystone Edmonds-Kingston	5.55	9.40	18.65	27.85	37.10	46.35	55.50	55.50	.80
Fauntleroy-Vashon Southworth-Vashon Pt. Defiance-Tahlequah	* 7.50	13.20	26.20	39.00	51.90	64.90	77.90	77.90	1.10
Mukilteo-Clinton	3.75	6.60	13.10	19.50	25.95	32.45	38.95	38.95	.55
**Anacortes to Lopez, Shaw, Orcas * or Friday Harbor	11.60 13.85 15.85	22.45	44.65	66.80	88.95	111.20	133.35	133.35	1.85
Anacortes to Sidney **and Sidney to all destinations	26.05	34.20	57.70	81.20	104.75	128.40	151.95	151.95	2.10
**Between Lopez, Shaw, Orcas ****@ and Friday Harbor	6.50	11.00	11.00	11.00	44.00	44.00	44.00	44.00	N/A
**From Lopez, Shaw, Orcas and Friday Harbor to Sidney@	13.25	20.00	34.00	48.00	61.50	75.50	89.25	89.25	1.00

@These fares rounded to the nearest multiple of \$ .25.

\*These routes operate as a one-point toll collection system.

\*\*Commercial trucks are allowed stop-over at intermediate points upon payment of \$2.50 per stop-over.

\*\*\*Includes all trucks licensed 8,001 lbs. gross vehicle weight and above, except busses. Trucks under 8,001 lbs. will be classified as automobiles.

Also includes all trucks licensed 8,001 lbs. gross vehicle weight and above pulling trailers, vehicles licensed as fixed load, unlicensed vehicles and road machinery on wheels. Vehicles not included in this class cannot be charged under this class.

\*\*\*\*Toll collected westbound only.

**PENALTY CHARGES**

Owner of vehicle without driver will be assessed a \$50.00 penalty charge.

**DISCOUNT PERCENTAGES FROM REGULAR TOLL**

12 or more, one-way crossings per week (Sunday thru Saturday) will qualify for a 25% discount from the regular ferry tolls.

Emergency trips during nonservice hours - while at locations where crew is on duty charge shall be equal to the cost of fuel consumed to make emergency trip. Such trips shall only be offered as a result of official requests from an emergency services agency and only in the case of no reasonable alternative.

**AMENDATORY SECTION** (Amending Order 67, Resolution No. 354, filed 6/30/89)

**WAC 468-300-070 NONCOMMERCIAL VEHICLE WITH TRAILER, OVERSIZE VEHICLE, STAGE AND BUS, NEWSPAPER, EXPRESS SHIPMENTS AND MEDICAL SUPPLIES FERRY TOLLS.**

Effective 03:00 a.m. ((September 11, 1989)) July 1, 1991

Noncommercial Vehicle with Trailer, Oversize Vehicle,  
Stage and Bus, Newspaper, Express Shipments and  
Medical Supplies Ferry Tolls\*\*\*

	18' To Under 28'	28' To Under 38'	38' To Under 48'	48' And Over	Stages And Buses Incl. Driver **
Seattle-Winslow Seattle-Bremerton Edmonds-Kingston Pt. Townsend-Keystone Fauntleroy-Southworth	8.35	11.25	15.90	20.50	12.25
Fauntleroy-Vashon Southworth-Vashon Pt. Defiance-Tahlequah	* 11.40	15.80	22.20	28.80	15.70
Mukilteo-Clinton Anacortes to Lopez, Shaw, Orcas * or Friday Harbor	5.70 20.45	7.90 27.05	11.10 38.10	14.40 49.20	7.85 33.30
Anacortes to Sidney and Sidney to all destinations	33.10	38.85	50.60	62.35	48.50
Between Lopez, Shaw, Orcas ****@ and Friday Harbor	11.00	11.00	11.00	44.00	11.00
From Lopez, Shaw, Orcas and Friday Harbor to Sidney@	18.25	22.50	29.50	36.50	15.50

**(1) BULK NEWSPAPERS per 100 lbs. \$2.20**

(Shipments exceeding 60,000 lbs. in any month shall be assessed \$1.10 per 100 lbs.)

Daily Newspapers, in bundles, and medical supplies, to be received and delivered without receipt and subject to owner's risk, will be transported between ferry terminals on regular scheduled sailings.

**(2) EXPRESS SHIPMENTS per 100 lbs. \$20.90**

(Shipments exceeding 100 lbs. assessed \$8.30 for each 25 lbs. or fraction thereof.)

Express shipments will be handled on scheduled sailings when no other means of shipment is available to shipper. Shipments must be of a size and weight requiring a minimum of handling by carrier's employees. Carrier reserves the right to refuse shipment of any item. Carrier assumes no liability for loss or damage to any shipment. Minimum rate for any shipment shall be the rate for 100 pounds.

San Juan inter-island express shipments will be handled @ \$2.80 per 100 lbs.

**(3) MEDICAL SUPPLIES per 100 lbs. \$1.15**

@These fares rounded to the nearest multiple of \$ .25.

\*These routes operate as a one-point toll collection system.

\*\*Stages - A public transportation operator providing regularly scheduled week-day service for public necessity and convenience may pay a \$10 annual fee for each scheduled vehicle. This fee covers the fare for each trip of the vehicle and operator only. All occupants shall be assessed the applicable passenger rate per trip. The \$10 annual fee does not apply to vehicles

providing chartered service or vehicles providing service for special events such as trips for recreational purposes.

**PENALTY CHARGES**

Owner of vehicle without driver will be assessed a \$50.00 penalty charge.

**\*\*\*INCLUDES THE FOLLOWING VEHICLES PULLING TRAILERS:**

Automobiles

Trucks licensed under 8,001 lbs. (For trucks 8,001 lbs. and over, see WAC 468-300-040)

Oversize vehicles

Does not include motorcycles with trailers.

Also includes motor homes, and mobile campers that exceed 18' in length. Excludes trucks licensed over 8,000 lbs., passenger busses and stages.

**ALL OVERSIZE VEHICLES UNDER 18' IN LENGTH WILL BE CONSIDERED AS REGULAR CAR AND DRIVER.**

\*\*\*\*Toll collected westbound only.

Senior citizen discounts for the driver of the above vehicles shall apply.

Senior citizen discount is determined by subtracting full fare passenger rate and adding 1/2 passenger fare.

**SUMMER SURCHARGE**

A 20% surcharge shall be applied to coincide with this summer schedule period to regular, noncommutation auto and noncommercial vehicles with trailers and oversize vehicles.

## WSR 91-18-023

## PERMANENT RULES

## TRANSPORTATION COMMISSION

[Order 73—Filed August 27, 1991, 1:59 p.m.]

Date of Adoption: August 22, 1991.

Purpose: Revise levels of authority for limited access hearing activities.

Citation of Existing Rules Affected by this Order: Amending WAC 468-54-020, 468-54-040, 468-54-050, 468-54-065, and 468-54-070.

Statutory Authority for Adoption: RCW 47.01.071.

Pursuant to notice filed as WSR 91-12-031 on June 3, 1991.

Effective Date of Rule: Thirty-one days after filing.

August 22, 1991

James Henning  
ChairmanAMENDATORY SECTION (Amending Order 27, Resolution No. 123, filed 9/17/81)

WAC 468-54-020 ESTABLISHMENT OF LIMITED ACCESS FACILITIES—INITIATION. Proceedings to establish a limited access facility may be initiated by interested persons owning property in the vicinity of the proposed facility or by the department of transportation. If the secretary of transportation ascertains that there is merit in the proposal, he will prepare an order designating the portion of the highway, road or street where the limited access highway may be established. ~~((The administrator of the transportation commission))~~ When a public hearing is required, the secretary shall by order fix the date and place where the proposal may be heard.

AMENDATORY SECTION (Amending Order 32, filed 7/23/79)

WAC 468-54-040 NOTICE OF HEARING. Notice of the proposal to establish a limited access highway facility shall be given to the owners of property abutting the section of any existing highway being established as a limited access facility, as indicated in the tax rolls of the county and to the county and/or city or town in which the facility is proposed to be established. The notice shall be by United States mail setting forth a time and place for the hearing to be held not less than fifteen days after mailing the notice. Notice of such hearing shall also be published not less than fifteen days prior to the hearing in one or more newspapers of general circulation within such county, city or town. Such notice shall indicate a suitable location where plans for such proposal may be inspected. Notice given as herein provided shall be deemed sufficient as to any owner or reputed owner or any unknown owner or owner who cannot be located and to the county, city or town. A single hearing may be held for a proposed facility which is located in more than one county, city or town, provided that notice is given to each county, city or town.

AMENDATORY SECTION (Amending Order 27, Resolution No. 123, filed 9/17/81)

WAC 468-54-050 CONDUCT OF HEARING. At such hearing ~~((a member of))~~ the secretary of transportation ~~((commission))~~ shall preside, or the ~~((commission))~~ secretary may designate some suitable person to preside as examiner. The hearing may, at the option of the ~~((commission))~~ secretary, be conducted in accordance with federal laws and regulations governing highway design public hearings. The department shall introduce by competent evidence a summary of the proposal for the establishment of a limited access facility and any evidence that supports the adoption of the plan as being in the public interest. At the conclusion of the evidence presented by the department, evidence and statements or counterproposals bearing upon the reasonableness of the proposal may be introduced. Such evidence must be material to the issues before the ~~((commission))~~ secretary and shall be presented in an orderly manner. Any such evidence and statements or counterproposals shall receive reasonable consideration by the ~~((commission))~~ secretary before any proposal is adopted.

AMENDATORY SECTION (Amending Order 27, Resolution No. 123, filed 9/17/81)

WAC 468-54-065 HEARING OFFICER. The ~~((commission))~~ secretary of transportation may designate any suitable person as examiner with respect to hearings on any limited access proposal. Subject to later review and ruling by the ~~((commission))~~ secretary, such examiner may:

- (1) Examine witnesses, and receive evidence;
- (2) Admit evidence which possesses probative value commonly accepted by reasonable, prudent men in the conduct of their affairs, giving effect to the rules of privilege recognized by law and excluding incompetent, irrelevant, immaterial and unduly repetitious evidence;
- (3) Rule on offers of proof and receive relevant evidence;
- (4) Regulate the course of the hearing;
- (5) Hold conferences for the settlement or simplification of the issues by consent of the parties;
- (6) Dispose of procedural requests or similar matters;
- (7) Accept statements as to the reasonableness of the proposal; and
- (8) Establish time limits for speakers, when necessary to assure that all persons attending will have an opportunity to present relevant and material statements without undue repetition.

AMENDATORY SECTION (Amending Order 27, Resolution No. 123, filed 9/17/81)

WAC 468-54-070 HEARING—FINDINGS OR ORDER—FINALITY. At the conclusion of such hearing the ~~((commission))~~ secretary of transportation shall consider the evidence taken at such hearing and shall make specific findings in the case of each proposal or counterproposal and shall adopt a plan with such modifications, if any, ~~((it))~~ he deems proper and necessary. The ~~((commission))~~ secretary may order the adoption of any proposal or counterproposal in its entirety or in part,



or may modify or reject any such proposal or counter-proposal. ((Its)) The secretary's findings or order shall be in writing and copies thereof shall be served by United States mail upon all persons having entered a written appearance at such hearing and upon the county commissioners of the county affected and/or the mayor of the city or town affected. The ((commission)) secretary shall also cause a resume of such plan to be published once each week for two weeks in one or more newspapers of general circulation within such county, city or town beginning not less than ten days after the mailing of such findings and order. Such determination by the ((commission)) secretary shall become final within thirty days after such mailing unless a review is taken as by statute provided. In case of an appeal by any party the order shall be final as to all parties not appealing.

**WSR 91-18-024**  
**PERMANENT RULES**  
**DEPARTMENT OF FISHERIES**  
 [Order 91-72—Filed August 27, 1991, 3:08 p.m.]

Date of Adoption: July 30, 1991.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order:  
 Amending WAC 220-47-304, 220-47-307, 220-47-311, 220-47-319, 220-47-401, and 220-47-411.

Statutory Authority for Adoption: RCW 75.08.080.

Pursuant to notice filed as WSR 91-13-031 on June 12, 1991.

Changes Other than Editing from Proposed to Adopted Version: WAC 220-47-310, add new section that describes time in standard and daylight savings periods to avoid duplication within sections; WAC 220-47-311, change dates in Areas 7, 7A, 10, and 11 and add purse seine fisheries in Areas 8, 12 and 12B; WAC 220-47-319, delete additional areas and wording regarding fisheries promulgated by department regulations; WAC 220-47-401, provide for earlier fisheries in October; and WAC 220-47-411, change dates in Areas 7, 7A, 10, and 11 and add gill net fisheries in Areas 8, 12, and 12B.

Effective Date of Rule: Thirty-one days after filing.

August 26, 1991

Joseph R. Blum  
 Director

**AMENDATORY SECTION** (Amending Order 90-49, filed 6/11/90, effective 7/12/90)

WAC 220-47-304 PUGET SOUND—ALL CITIZEN SALMON SPECIES SEASONS. The following are Puget Sound all citizens salmon species seasons listed by area and species:

AREA	SPECIES	DATE	RANGE
6D:	COHO	<del>((9/23 — 10/27))</del> 9/22 — 10/26	
7,7A:	COHO	<del>((9/2 — 10/13))</del> 9/1 — 10/12	
	CHUM	<del>((10/14))</del> — 11/30 10/13	

AREA	SPECIES	DATE	RANGE
7B:	CHINOOK	<del>((7/29 — 9/8))</del> 7/28 — 9/7	
	COHO	<del>((9/9 — 10/27))</del> 9/8 — 10/26	
	CHUM	<del>((10/28))</del> — 11/30 10/27	
7C:	CHINOOK	<del>((7/29 — 8/25))</del> 7/28 — 8/24	
7E:	CHINOOK	<del>((7/29 — 9/8))</del> 7/28 — 9/7	
8:	PINK	8/18 — 9/14	
	CHUM	<del>((10/28 — 11/24))</del> 10/27 — 11/23	
8A:	CHINOOK	<del>((7/29 — 9/8))</del> 7/28 — 9/7	
	COHO	<del>((9/9 — 10/20))</del> 9/8 — 10/19	
	CHUM	<del>((10/21))</del> — 11/30 10/20	
8D:	CHINOOK	<del>((7/29 — 9/22))</del> 7/28 — 9/21	
	COHO	<del>((9/23 — 11/16))</del> 9/22 — 11/9	
	CHUM	<del>((11/11))</del> — 11/30 11/10	
10,11:	PINK	8/25 — 9/7	
	COHO	<del>((9/9 — 10/20))</del> 9/8 — 10/19	
	CHUM	<del>((10/21))</del> — 11/30 10/20	
12:	COHO	<del>((9/9 — 10/20))</del> 9/8 — 10/19	
	CHUM	<del>((10/21 — 11/17))</del> 10/20 — 11/16	
12A:	COHO	<del>((9/9 — 10/20))</del> 9/8 — 10/19	
	CHUM	<del>((10/21 — 11/17))</del> 10/20 — 11/16	
12B:	CHINOOK	<del>((7/29 — 9/8))</del> 7/28 — 9/7	
	COHO	<del>((9/9 — 10/20))</del> 9/8 — 10/19	
	CHUM	<del>((10/21 — 11/17))</del> 10/20 — 11/16	
12C:	CHINOOK	<del>((7/29 — 9/8))</del> 7/28 — 9/7	
	CHUM	<del>((10/28))</del> — 11/30 10/27	

**AMENDATORY SECTION** (Amending Order 90-49, filed 6/11/90, effective 7/12/90)

WAC 220-47-307 CLOSED AREAS—PUGET SOUND SALMON. It is unlawful at any time, unless otherwise provided, to take, fish for, or possess salmon taken for commercial purposes with any type of gear from the following portions of Puget Sound Salmon Management and Catch Reporting Areas:

Areas 4B, 5, 6, 6B, and 6C — The Strait of Juan de Fuca Preserve as defined in WAC 220-47-266.

Area 6D — That portion within 1,000 feet of each mouth of the Dungeness River.

Area 7 — The San Juan Island Preserve as defined in WAC 220-47-262.

Area 7A — The Drayton Harbor Preserve as defined in WAC 220-47-252.

Area 7B - That portion south and east of a line from William Point on Samish Island to Saddlebag Island to the southeastern tip of Guemes Island, and that portion northerly of the railroad trestle in Chuckanut Bay.

Area 7C - That portion southeasterly of a line projected from the mouth of Oyster Creek 237° true to a fishing boundary marker on Samish Island.

Area 8 - That portion of Skagit Bay easterly of a line projected from Brown Point on Camano Island to a white monument on the easterly point of Ika Island, thence across the Skagit River to the terminus of the jetty with McGlenn Island.

Area 8A - Those waters easterly of a line projected from Mission Point to Buoy C1, excluding the waters of Area 8D, thence ~~((to))~~ through the green light at the entrance jetty of the Snohomish River ~~((thence))~~ and across the mouth of the Snohomish River to ~~((the red light at Western Gear Corporation))~~ landfall on the eastern shore, and those waters northerly of a line from Camano Head to the northern boundary of Area 8D.

Area 9 - Those waters lying inside and westerly of a line projected from the Point No Point light to Sierra Echo buoy thence to Forbes Landing wharf, east of Hansville.

Area 10 - That portion easterly of a line projected from Meadow Point to West Point and that portion of Port Madison northwest of a line from the Agate Pass entrance light to the light on the end of the Indianola dock.

Area 10E - Those waters of Liberty Bay north of a line projected due east from the southernmost Keyport dock, those waters of Dyes Inlet north of the Manette Bridge, and those waters of Sinclair Inlet southwest of a line projected true east from the Bremerton ferry terminal.

Area 11 - Those waters northerly of a line projected true west from the light at the mouth of Gig Harbor and those waters south of a line from Browns Point to the northernmost point of land on Point Defiance.

Area 12 - Those waters inside and easterly of a line projected from Lone Rock to the navigation light off Big Beef Creek, thence southerly to the tip of the outermost northern headland of Little Beef Creek.

Area 12A - Those waters north of a line projected from Fisherman's Point on the Bolton Peninsula to the boat haven at Quilcene and those waters north of a line projected due east from Broad Spit.

Area 12B - Those waters within 1/4 mile of the mouths of the Dosewallips, Duckabush, and Hamma Hamma rivers.

Areas 12, 12A, and 12B - Additional chinook seasonal closure: Those waters north and east of a line projected from Tekiu Point to Triton Head.

Area 12C - Those waters within 1,000 feet of the western shore between the dock at Glen Ayr R.V. Park and the Hoodspout marina dock and those waters south of a line projected from the Cushman Powerhouse to the public boat ramp at Union.

Areas 12, 12B, 12C, and 12D - Additional coho and chum seasonal closure: Those waters of Area 12 south and west of a line projected 94 degrees true from Hazel

Point to the light on the opposite shore, bounded on the west by the Area 12/12B boundary line, and those waters of Areas 12B, 12C, and 12D south of a line projected from Tekiu Point to Triton Head.

Area 13A - Those waters of Burley Lagoon north of State Route 302, those waters within 1,000 feet of the outer oyster stakes off Minter Creek Bay including all waters of Minter Creek Bay, those waters westerly of a line drawn due north from Thompson Spit at the mouth of Glen Cove, and those waters within 1/4 mile of Green Point.

NEW SECTION

WAC 220-47-310 PUGET SOUND NET SEASONS—TIME. During the openings provided for in this chapter, all times stated are Pacific Standard Time from January 1 through the first Saturday in April and from the last Sunday in October through December 31, and Pacific Daylight Time from the first Sunday in April to the last Saturday in October.

AMENDATORY SECTION (Amending Order 90-49, filed 6/11/90, effective 7/12/90)

WAC 220-47-311 PURSE SEINE—OPEN PERIODS. During 1991, it is unlawful to take, fish for or possess salmon taken with purse seine gear for commercial purposes from Puget Sound except in the following designated Puget Sound Salmon Management and Catch Reporting Areas during the periods provided for hereinafter in each respective Management and Catch Reporting Area:

AREA	TIME	DATE
6D:	5AM	<del>((SUN 9/23))</del> - 4PM <del>((FRI 10/26 (PDT)))</del>
		<u>9/22</u> <u>10/25</u>
7,7A:	5AM	<del>((9PM PDT MON 10/15))</del>
		<u>8PM</u> <u>10/28</u>
	5AM	<del>((9PM PDT TUE 10/23))</del>
		<u>8PM</u> <u>10/29</u>
	5AM	<del>((9PM PDT WED 10/24))</del>
		<u>8PM</u> <u>11/5</u>
	5AM	<del>((PST MON 10/29))</del>
		<u>8PM</u> <u>11/6</u>
	5AM	<del>((PST TUE 10/30))</del>
		<u>11/11</u>
7B:	5AM	<del>((MON 9/10))</del> - 4PM <del>((FRI 10/26 (PDT)))</del>
		<u>9/9</u> <u>10/25</u>
	5AM	<del>((MON 10/29))</del> - 4PM <del>((FRI 11/2 (PST)))</del>
		<u>10/28</u> <u>11/1</u>
	5AM	<del>((MON 11/5))</del> - 4PM <del>((FRI 11/9 (PST)))</del>
		<u>11/4</u> <u>11/8</u>
8:	5AM	- 9PM 8/27
	5AM	- 9PM 8/28
	5AM	- 9PM 8/29
	5AM	- 9PM 9/3
	5AM	- 9PM 9/4
	5AM	- 9PM 9/5
9A:	5AM	9/16 - 4PM 9/20
	5AM	9/23 - 4PM 9/27
	5AM	9/30 - 4PM 10/4
	5AM	10/7 - 4PM 10/11
	5AM	10/14 - 4PM 10/18
	5AM	10/21 - 4PM 10/25
	5AM	10/28 - 4PM 11/1

AREA	TIME	DATE
10,11:	<del>((5AM - 9PM PDT MON 9/10))</del> 5AM - 9PM <del>((PDT TUE 9/18))</del>	
		9/16
	5AM - 9PM <del>((PDT MON))</del>	9/24
	5AM - 9PM <del>((PDT TUE 10/23))</del>	
		10/22
	<del>((5AM - 9PM PDT WED 10/24))</del>	
	5AM - 8PM <del>((PST MON 10/29))</del>	
		10/28
	<del>((5AM - 8PM PST TUE 10/30))</del>	
12,12B:	5AM - <del>((9) 8PM(PDT MON 9/10))</del>	11/5
	5AM - <del>((9) 8PM(PDT TUE 9/18))</del>	11/6
	5AM - <del>((9) 8PM(PDT TUE 10/23))</del>	11/11
	<del>((5AM - 8PM PST MON 10/29))</del>	
12A:	5AM <del>(( - 9PM PDT MON 9/10))</del>	
		9/3 - 4PM 9/6
	5AM <del>(( - 9PM PDT TUE 9/18))</del>	
		9/9 - 4PM 9/13
	5AM 9/16 - 4PM 9/20	
	5AM 9/23 - 4PM 9/27	
	5AM 9/30 - 4PM 10/4	
	5AM 10/7 - 4PM 10/11	

All other saltwater and freshwater areas - closed.

**AMENDATORY SECTION** (Amending Order 90-49, filed 6/11/90, effective 7/12/90)

WAC 220-47-319 SPECIAL PURSE SEINE MESH SIZE. It shall be unlawful to take, fish for or possess salmon taken with purse seine gear in Puget Sound Salmon Management and Catch Reporting Areas 6B, 6D, 8, 8A, 8D, 9, 9A, 10, 10A, 10C, 10D, 10E, 10F, 10G, 11, 11A, 12, 12A, 12B, 12C, 12D, 13, 13A, 13C,

13D, 13E, 13F, 13G, 13H, 13I, 13J and 13K ((from the second Monday in September through November 30)) unless said purse seine gear is constructed so that the first 100 meshes below the corkline that are within 75 fathoms of the bunt, excluding the bunt, are of a size not less than 5 inches stretch measure.

**AMENDATORY SECTION** (Amending Order 90-49, filed 6/11/90, effective 7/12/90)

WAC 220-47-401 REEF NET OPEN PERIODS. During 1991, it is unlawful to take, fish for or possess salmon taken with reef net gear for commercial purposes in Puget Sound except in the following designated Puget Sound Salmon Management and Catch Reporting Areas, during the periods provided for hereinafter in each respective area:

AREA	TIME	DATE
7:	5AM - 9PM	10/6
	5AM - 9PM	10/7
7,7A:	5AM - 9PM	<del>((PDT MON 9/17))</del>
		10/15
	5AM - 9PM	<del>((PDT WED 9/19))</del>
		10/16
	5AM - 9PM	<del>((PDT FRI 9/28))</del>
		10/17
	<del>((5AM - 9PM PDT MON 10/1))</del>	
	<del>5AM - 9PM PDT SUN 10/14</del>	
	<del>5AM - 9PM PDT THU 10/25</del>	
	<del>5AM - 9PM PDT FRI 10/26</del>	
	<del>5AM - 8PM PST SUN 10/28</del>	
	<del>5AM - 8PM PST MON 10/29))</del>	

All other saltwater and freshwater areas - closed.

**AMENDATORY SECTION** (Amending Order 90-49, filed 6/11/90, effective 7/12/90)

WAC 220-47-411 GILL NET-OPEN PERIODS. During 1991, it is unlawful to take, fish for or possess salmon taken with gill net gear for commercial purposes from Puget Sound except in the following designated Puget Sound Salmon Management and Catch Reporting Areas during the seasons provided for hereinafter in each respective fishing area:

(AREA)	TIME	DATE(S)
6D:	5AM SUN 9/23	4PM FRI 10/26 (PDT)
7,7A:	5PM - 9AM PDT NIGHTLY MON 10/15, MON 10/22, TUE 10/23	
	4PM - 8AM PST NIGHTLY MON 10/29, TUE 10/30	
7B:	7PM - 9:30AM NIGHTLY MON 7/30, TUE 7/31 (PDT)	
	7PM - 9:30AM NIGHTLY MON 8/6, TUE 8/7, WED 8/8 (PDT)	
	6PM - 9AM NIGHTLY MON 8/13, TUE 8/14, WED 8/15 (PDT)	
	6PM - 9AM NIGHTLY MON 8/20, TUE 8/21 (PDT)	
	6PM SUN 9/9 - 4PM FRI 10/26 (PDT)	
	5AM MON 10/29 - 4PM FRI 11/2 (PST)	
	5AM MON 11/5 - 4PM FRI 11/9 (PST)	
7C:	7PM - 9:30AM NIGHTLY MON 7/30, TUE 7/31 (PDT)	
	7PM - 9:30AM NIGHTLY MON 8/6, TUE 8/7, WED 8/8 (PDT)	
	6PM - 9AM NIGHTLY MON 8/13, TUE 8/14, WED 8/15 (PDT)	
	6PM - 9AM NIGHTLY MON 8/20, TUE 8/21 (PDT)	
10,11:	5PM - 9AM PDT NIGHTLY MON 9/10, MON 9/17, MON 9/24	
	5PM - 9AM PDT NIGHTLY MON 10/22, TUE 10/23	
	4PM - 8AM PST NIGHTLY MON 10/29, TUE 10/30	
12,12B:	5PM - 9AM PDT NIGHTLY MON 9/10, MON 9/17	
	5PM - 9AM PDT MON 10/22	
	4PM - 8AM PST MON 10/29	
12A:	5PM - 9AM PDT NIGHTLY MON 9/10, MON 9/17))	

August 28, 1991  
Les Jaster  
Rules Coordinator

AREA TIME	DATE(S)
6D: 5AM 9/22 - 4PM 10/25	
7,7A: 5PM - 9AM	NIGHTLY 10/28, 10/29
4PM - 8AM	NIGHTLY 11/4, 11/5, 11/11
7B: 7PM - 9:30AM	NIGHTLY 7/29, 7/30
7PM - 9:30AM	NIGHTLY 8/5, 8/6, 8/7
6PM - 9AM	NIGHTLY 8/12, 8/13, 8/14
6PM - 9AM	NIGHTLY 8/19, 8/20
6PM 9/8 - 4PM 10/25	
5AM 10/28 - 4PM 11/1	
5AM 11/4 - 4PM 11/8	
7C: 7PM - 9:30AM	NIGHTLY 7/29, 7/30
7PM - 9:30AM	NIGHTLY 8/5, 8/6, 8/7
6PM - 9AM	NIGHTLY 8/12, 8/13, 8/14
6PM - 9AM	NIGHTLY 8/19, 8/20
8: 6PM - 9AM	NIGHTLY 8/20, 8/21, 8/26, 8/27, 8/28, 9/3, 9/4, 9/5, and 9/9
9A: 5AM 9/16 - 4PM 9/20	
5AM 9/23 - 4PM 9/27	
5AM 9/30 - 4PM 10/4	
5AM 10/7 - 4PM 10/11	
5AM 10/14 - 4PM 10/18	
5AM 10/21 - 4PM 10/25	
5AM 10/28 - 4PM 11/1	
10,11: 5PM - 9AM	NIGHTLY 9/16, 9/23, 10/21
4PM - 8AM	NIGHTLY 10/28
12,12B: 4PM - 8AM	11/4, 11/5, 11/11
12A: 5AM 9/3 - 4PM 9/6	
12A: 5AM 9/9 - 4PM 9/13	
12A: 5AM 9/16 - 4PM 9/20	
12A: 5AM 9/23 - 4PM 9/27	
12A: 5AM 9/30 - 4PM 10/4	
12A: 5AM 10/7 - 4PM 10/11	

All other saltwater and freshwater areas - closed.

**WSR 91-18-025**  
**PREPROPOSAL COMMENTS**  
**DEPARTMENT OF REVENUE**  
[Filed August 28, 1991, 2:56 p.m.]

Subject of Possible Rule Making: WAC 458-12-251 Definition—Valuation—Computer software; and 458-50-085 Valuation of computer software.

Persons may comment on this subject in writing or by attending the public meeting. Written comments should be addressed to: Claire Hesselholt, Chief Administrative Law Judge, Department of Revenue, Interpretation and Appeals, General Administration Building, Mailstop AX-02, Olympia, Washington 98504. Public meeting scheduled at: Evergreen Plaza Building, 3rd Floor Revenue Conference Room, 711 Capitol Way South, Olympia, WA, on September 26, 1991, Definition—Software at 10:00 a.m. and Valuation—Software at 2:00 p.m. (Written comments will be accepted to this date.)

Other Information or Comments by Agency at this Time, if any: The Department of Revenue plans to adopt these WACs on an emergency basis. The rules deal with the property taxation of computer software. The rules implement EHB 1376, chapter 29, Laws of 1991 1st sp. sess., enacted during the 1991 legislative session. Copies of the drafted rules are available upon request. Contact Roseanna Hodson, (206) 586-4281.

**WSR 91-18-026**  
**PERMANENT RULES**  
**OFFICE OF**  
**INSURANCE COMMISSIONER**

[Order R 91-6—Filed August 28, 1991, 3:40 p.m.]

Date of Adoption: August 28, 1991.

Purpose: To amend WAC 284-51-050 to recognize changes in industry practices and to maximize benefits to consumers.

Citation of Existing Rules Affected by this Order: Amending WAC 284-51-050.

Statutory Authority for Adoption: RCW 48.02.060 (3)(a), 48.44.050, and 48.46.200.

Pursuant to notice filed as WSR 91-15-110 on July 24, 1991.

Effective Date of Rule: Thirty-one days after filing.

August 28, 1991  
Dick Marquardt  
Insurance Commissioner  
James T. Odiorne  
Insurance Regulation Analyst

**AMENDATORY SECTION** (Amending Order R 81-2, filed 6/18/81, effective 1/1/82)

WAC 284-51-050 ALLOWABLE EXPENSE. (1) A group contract which provides for coordination of benefits ("COB") shall contain a provision stating what expenses are to be recognized under the coordination provision(~~(, as follows: "ALLOWABLE EXPENSE: 'Allowable expense' means any necessary, reasonable and customary item of expense at least a portion of which is covered under at least one of the plans covering the person for whom claim is made))~~) as an allowable expense.

(a) Each such group contract shall include the following definition: "Allowable expense means the [usual, customary and reasonable] charge for any necessary health care service or supply when the service or supply is covered at least in part under any of the plans involved. When a plan provides benefits in the form of services or supplies rather than cash payments, the reasonable cash value of each service rendered or supply provided shall be considered (~~(as both)~~) an allowable expense (~~(and a benefit paid.))~~). The difference between the cost of a private hospital room and the cost of a semi-private hospital room is not considered an allowable expense under the above definition unless the covered person's stay in a private hospital room is considered medically necessary under at least one of the plans involved."

(b) Notwithstanding the above definition, health care services or supplies under plans which are limited to providing coverages such as dental care, vision care, prescription drugs or hearing aids may be excluded from the definition of allowable expense. A plan which provides benefits only for any such health care services or

supplies may limit its definition of allowable expense to like services or supplies.

(c) When COB is restricted in its use to specific benefits in a contract (for example, major medical or dental benefits, only), the definition of allowable expense must include the corresponding services and supplies to which COB applies.

(2) A plan is not required to include language in its group contracts which is substantially similar to subsections (3) through (8) of this section. However, it may not include language which conflicts with subsections (3) through (8) of this section. COB adjudication practices must reflect subsections (3) or (4) or (5), and (6) and (7) and (8) of this section.

(3) When a plan provides benefits in the form of cash payments rather than services or supplies, the allowable expense may be the lesser of either the provider's charge for a health care service or supply, or the "usual, customary and reasonable" charge for that particular health care service or supply. In lieu of "usual, customary and reasonable," a plan may substitute the terms "usual and prevailing," or "reasonable and customary," or other terms which are commonly understood to be similar in meaning. A plan may only limit allowable expense to the "usual, customary and reasonable" charge if:

(a) That term is reasonably defined in that insurer's group contract. Prior to limiting an allowable expense to a "usual, customary and reasonable" charge, the insurer must be able to support that such a limitation is based upon the application of statistically reliable comparative statistical measures, and is regularly reevaluated based on data which is current within twelve months of the date the service or supply was provided. When a secondary plan's "usual, customary and reasonable" charge for a particular health care service or supply is less than the primary plan's "usual, customary and reasonable" charge for that same health care service or supply, the secondary plan must coordinate benefits based on no less than the primary plan's "usual, customary and reasonable" charge for that health care service or supply; or

(b) The health care service or supply is a covered benefit under the primary plan and the primary plan limits its allowable expense to the "usual, customary and reasonable" charge in accordance with (a) of this subsection: AND PROVIDED FURTHER, That the secondary plan excludes that service or supply in the absence of COB. In such case, the secondary plan may coordinate benefits for that service or supply based on the primary plan's "usual, customary and reasonable" charge.

(4)(a) A plan may provide benefits in the form of services or supplies rather than cash payments. Services or supplies may be provided directly by the insurer, or they may be provided through various contractual arrangements between providers and the insurer which involve the payment of negotiated amounts based on fee schedules, percentage discounts off of a provider's usual charge, per diem payments, case price payments, or other substantially similar types of negotiated arrangements.

(b) For the purposes of this subsection (4) of this section, when services or supplies are provided through a

contractual arrangement between the provider and the insurer in exchange for payment of a negotiated amount to the provider, the "negotiated amount" shall mean the amount set forth in the contractual arrangement in effect at the time of service. Such contractual arrangements must specify that the provider agrees to accept such amount as payment in full for a covered health care service or supply provided to a person enrolled under a group contract issued by that insurer.

(c) If the provider agrees to accept the negotiated amount as payment in full, whether that amount is paid in whole or in part by the covered person, or by that insurer, or by any combination of payors including other insurers which pay before that insurer in the order of benefit determination, then and only then may the insurer which is a party to that contractual arrangement with the provider consider the negotiated amount as the allowable expense. An insurer may not consider amounts negotiated in a contractual arrangement to which it is not a party to be the allowable expense.

(i) When the covered person is not responsible for paying any portion of the negotiated amount, and the insurer pays the entire negotiated amount to the provider, then that insurer may consider the negotiated amount as both an allowable expense and a benefit paid.

(ii) When any portion of the negotiated amount is paid by the covered person in accordance with the group contract issued by the insurer, or is paid by any other person including any other insurer, then the negotiated amount may be considered the allowable expense. The negotiated amount less any amounts payable by other persons, including the covered person, shall be considered the benefit paid.

(5) When services or supplies are provided directly by the insurer, the reasonable cash value of the health care service or supply shall be considered the allowable expense. When the covered person is not responsible for paying any portion of the allowable expense, that insurer may consider the reasonable cash value of the health care service or supply as both an allowable expense and a benefit paid. When the covered person is responsible for paying any portion of the allowable expense in accordance with the insurer's group contract covering the enrolled person, the reasonable cash value may be considered the allowable expense but the reasonable cash value less any amounts payable by other persons including the covered person shall be considered the benefit paid.

((2)) (6) The inclusion of Medicare or similar governmental benefits in the definition of a plan will not require the definition of allowable expense to recognize governmental benefits other than hospital, medical and surgical benefits.

(7) "Total allowable expenses" shall mean the sum of all allowable expenses for a particular covered person for a particular claim determination period. A secondary plan may reduce its benefits so that the total benefits paid or total services and supplies provided by all plans during a claim determination period are not more than total allowable expenses. The amount by which the secondary plan's benefits have been reduced (that plan's COB savings) shall be used by the secondary plan to pay

allowable expenses, not otherwise paid, which were incurred during the claim determination period by the covered person for whom the claim is made. As each claim is submitted, the secondary plan determines its obligation to pay or provide for allowable expenses based on all claims which were submitted up to that point in time during the claim determination period.

(8) When a secondary plan provides a benefit in the form of services or supplies through a contractual arrangement between the provider and the insurer rather than in the form of a cash payment, and that plan's allowable expense is less than the amount of the payment provided by any primary plan for that service or supply, the secondary plan shall not consider the primary plan's benefit to be more than the secondary plan's allowable expense for that service or supply for the purpose of determining total allowable expenses. In no event should a deficit amount be credited to the total allowable expenses because the primary plan's benefit payment exceeded the secondary plan's allowable expense.

**Reviser's note:** The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

**WSR 91-18-027**  
**PROPOSED RULES**  
**CODE REVISER'S OFFICE**  
 [Filed August 28, 1991, 4:30 p.m.]

**Original Notice.**

**Title of Rule:** Amending WAC 1-21-040 Notice—Time for filing.

**Purpose:** To change the closing time for Register filing from 5:00 p.m. to 12:00 noon on the cut-off day.

**Statutory Authority for Adoption:** RCW 1.08.110, 34.05.385, and 34.08.030.

**Statute Being Implemented:** RCW 34.05.385 and 34.08.030.

**Summary:** Amending WAC 1-21-040 to change the closing time for Register filing from 5:00 p.m. to 12:00 noon on the cut-off day.

**Reasons Supporting Proposal:** The volume of filings made on the closing day has increased, while the staff available to process them has remained constant.

**Name of Agency Personnel Responsible for Drafting:** Gary Reid, Chief Assistant Code Reviser, Legislative Building, Olympia, 753-1440; **Implementation and Enforcement:** Code Reviser's Office, Legislative Building, Olympia, 753-1440.

**Name of Proponent:** Code Reviser's Office, governmental.

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

**Explanation of Rule, its Purpose, and Anticipated Effects:** Due to the volume of filings the Code Reviser's Office receives on the Register cut-off date, the Code Reviser's Office is proposing to advance the closing time from 5:00 p.m. to 12:00 noon. This will allow the Code Reviser's Office an extra half day to process the filings

before having to meet the state printer's deadlines. The Code Reviser's Office plans to make this change effective January 1, 1992.

**Proposal Changes the Following Existing Rules:** Changes the close of filing from 5:00 p.m. to 12:00 noon in WAC 1-21-040.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

The Code Reviser's Office has determined that the rule is not subject to the Regulatory Fairness Act because the rule is for the purpose of improving management of internal office publication schedules and has no broader policy purpose.

**Hearing Location:** House Rules Room, Legislative Building, Ground Floor, Southwest Corner, Olympia, Washington, on October 10, 1991, at 1:30 p.m.

**Submit Written Comments to:** Kerry Radcliff, Rules Coordinator, Code Reviser's Office, Legislative Building, Southwest Corner, Mailstop AS-15, Olympia, Washington 98504, by October 8, 1991.

**Date of Intended Adoption:** October 24, 1991.

August 28, 1991  
 Dennis W. Cooper  
 Code Reviser

**AMENDATORY SECTION** (Amending Order 89-1, filed 5/31/89)

**WAC 1-21-040 NOTICE—TIME FOR FILING.** To permit sufficient lead time for the editorial, data capture, and printing process, material to be published in a particular issue of the Register must be in the physical possession of and filed in the code reviser's office according to the following schedule:

(1) If the material has been prepared and completed by the code reviser's Order Typing Service (OTS), by ~~((5:00 p.m.))~~ 12:00 noon on the fourteenth day before the distribution date of that issue of the Register; or

(2) If the material has been prepared by any means other than OTS and it contains:

(a) No more than 10 pages, by ~~((5:00 p.m.))~~ 12:00 noon on the fourteenth day before the distribution date of that Register; or

(b) More than 10 but less than 30 pages, by ~~((5:00 p.m.))~~ 12:00 noon on the twenty-eighth day before the distribution date of that Register; or

(c) 30 or more pages, by ~~((5:00 p.m.))~~ 12:00 noon on the forty-second day before the distribution date of that Register.

**WSR 91-18-028**  
**PERMANENT RULES**  
**OFFICE OF**  
**FINANCIAL MANAGEMENT**  
 [Filed August 28, 1991, 4:58 p.m.]

**Date of Adoption:** August 28, 1991.

**Purpose:** To define criteria under which interest on past due receivables may be waived.

**Statutory Authority for Adoption:** Section 2, chapter 85, Laws of 1991.

Pursuant to notice filed as WSR 91-15-053 on July 18, 1991.

**Effective Date of Rule:** Thirty-one days after filing.

August 28, 1991  
 Dan Pensula  
 Assistant Director

Chapter 82-06 WAC  
GENERAL PROVISIONS

**NEW SECTION**

WAC 82-06-010 WAIVER OF INTEREST ON PAST DUE RECEIVABLES. (1) Under RCW 43.17.— (section 2, chapter 85, Laws of 1991), state agencies may waive the mandatory one percent per month interest charge on past due receivables if any of the following criteria apply:

(a) It would not be cost effective to charge interest on an individual debt or a class of debts. This includes, but is not limited to, the following:

(i) Situations where the cost of charging interest is expected to exceed the amount of interest received;

(ii) Situations where the cost of developing systems to charge interest is expected to exceed the amount of interest received. The word "systems" in this context refers to both computer systems and general systems of managing and processing receivables.

(b) Late payment was caused by the state, such as by providing incorrect information or instructions, or by providing necessary forms and instructions too late for timely payment when the forms or instructions had been ordered timely.

(c) The delinquency was caused by the death or serious illness of:

(i) The person responsible for paying the debt; or

(ii) A person whose assistance was vital to the payment, such as the accountant; or

(iii) A person in the immediate family of a person in (i) or (ii) of this subsection.

(d) Payment was made on time, but to the wrong governmental agency.

(e) The delinquency was caused by the destruction by fire or other casualty of the debtor's place of business, home, or records.

(f) Late payment was caused by natural disasters, disruptions in postal or delivery service, power failures, work stoppages due to labor disputes, or any other cause resulting from circumstances clearly beyond the control of the debtor.

(g) The account is subject to good faith dispute when, before the date of timely payment, notice of the dispute is:

(i) Sent by certified mail; or

(ii) Personally delivered; or

(iii) Sent in accordance with procedures in the contract.

(h) The debt is for public assistance or food stamp overpayments to individuals, where the overpayments were not in whole or in part caused by the recipients.

(i) Late payment on the debt is the result of late payment by another payor, such as when a person damages state property but does not know the amount of his or her personal obligation to the state until the portion covered by the person's liability insurance is known.

(j) The charging of interest would damage international relations.

(2) Requests for waivers of interest under criteria in subsection (1)(b), (c), (d), (e), and (f) of this section must be in letter form, must contain all pertinent facts,

must be accompanied by such proof as is available, and must be received by the department within sixty days of the incident. The burden of proving the facts is on the debtor.

Waivers under the remaining criteria in subsection (1) of this section must be documented for the purpose of audits by the state auditor's office.

(3) Each agency must apply the criteria in subsection (1) of this section consistently.

**WSR 91-18-029****PROPOSED RULES****DEPARTMENT OF FISHERIES**

[Filed August 28, 1991, 5:00 p.m.]

Continuance of WSR 91-11-111 and 91-15-031.

Title of Rule: Commercial fishing rules, WAC 220-52-073.

Purpose: Amend commercial shellfish rule.

Other Identifying Information: Continue sea urchin season proposals for later adoption, WAC 220-52-073.

Statutory Authority for Adoption: RCW 75.08.080.

Statute Being Implemented: RCW 75.08.080.

Summary: Set sea urchin season.

Reasons Supporting Proposal: Season needed to harvest available surplus.

Name of Agency Personnel Responsible for Drafting: E. Jacoby, Mailstop AX-11, Olympia, 586-2429; Implementation: J. Freeman, Mailstop AX-11, Olympia, 753-6749; and Enforcement: D. Matthews, Mailstop AX-11, Olympia.

Name of Proponent: Washington State Department of Fisheries, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See WSR 91-11-111.

Proposal Changes the Following Existing Rules: See WSR 91-11-111.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

See WSR 91-11-111.

Date of Intended Adoption: September 13, 1991.

August 26, 1991

Judith Merchant

Deputy

for Joseph R. Blum

Director

**WSR 91-18-030****PERMANENT RULES****DEPARTMENT OF FISHERIES**

[Order 91-73—Filed August 28, 1991, 5:00 p.m.]

Date of Adoption: August 26, 1991.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order: Amending WAC 220-52-051 and 220-52-071.

Statutory Authority for Adoption: RCW 75.08.080.



Pursuant to notice filed as WSR 91-11-111 on May 22, 1991; and WSR 91-15-031 on July 16, 1991.

Effective Date of Rule: Thirty-one days after filing.

August 27, 1991

Judith Merchant

Deputy

for Joseph R. Blum

Director

**AMENDATORY SECTION** (Amending Order 87-187, filed 11/6/87)

WAC 220-52-051 SHRIMP FISHERY—PUGET SOUND. It is unlawful to fish for or possess shrimp taken for commercial purposes from Puget Sound except as provided for in this section:

(1) SHRIMP DISTRICTS: The following areas are defined as shrimp fishing districts:

(a) Shrimp District 1 – (Protection Island, Discovery Bay) Waters south of a line from McCurdy Point on the Quimper Peninsula to the northern tip of Protection Island then to Rocky Point on the Miller Peninsula and all waters of Discovery Bay.

(b) Shrimp District 2 – (Griffin Bay) Waters south of a line projected true east-west through Turn Rock Light from San Juan Island to Lopez Island and north of a line projected true east from Cattle Point on San Juan Island to Lopez Island.

(c) Shrimp District 3 – (Port Angeles) Waters inside Ediz Hook west of a line from the tip of Ediz Hook to the ITT Rayonier Dock.

(d) Shrimp District 4 – (Sequim Bay) Waters of Sequim Bay south of a line projected true west from Travis Spit on the Miller Peninsula.

(e) Shrimp District 5 – (Hood Canal) Waters south of the Hood Canal Floating Bridge.

(f) Shrimp District 6 – (Carr Inlet) Waters of Carr Inlet north of a line projected from Penrose Point to Green Point.

(2) TRAWL GEAR:

(a) SEASONS – All waters of Puget Sound are open to trawl gear April 15 through October 15 except closed in:

(i) Shrimp Districts 1, 2, 3, 4, ~~((and))~~ 5, and 6.

(ii) Waters south of the Narrows Bridge.

(iii) Waters closed to trawl fishing in WAC 220-49-015.

(b) GEAR RESTRICTIONS – Otter trawl gear may not be used.

(3) SHELLFISH POT GEAR:

(a) SEASONS – All waters of Puget Sound are open to shellfish pot gear April ~~((+5))~~ 16 through October 15 except:

(i) Open in Shrimp Districts 1, 2, and 3 from May ~~((+5))~~ 16 through September 15.

(ii) Closed in Shrimp Districts 4, 5, and 6 unless opened by emergency regulation.

(b) GEAR RESTRICTIONS –

(i) In all areas, maximum 100 pots per fisherman, except:

(A) Maximum 75 pots per fisherman in Marine Fish-Shellfish Management and Catch Reporting Area 28B.

(B) Maximum 50 pots per fisherman in Shrimp Districts 1, 2, and 5.

(C) Maximum 10 pots per fisherman in Shrimp District 3.

(ii) In all shrimp districts:

(A) Buoys must be orange in color and consist of durable material that will remain floating on the surface with five pounds attached; bleach or antifreeze bottles or other containers may not be used as floats.

(B) The line attaching the pot to the buoy must be weighted sufficiently to prevent the line from floating on the surface.

(iii) In Shrimp Districts 2 and 5:

(A) The entire top, bottom, and sides of the pot, except entrance tunnels, must be constructed of mesh material having a minimum mesh of such size that a 7/8 inch square peg can pass through without changing the shape of the opening.

(B) All entrance tunnels must open into the pot from the sides.

(C) The sum of the maximum widths of all entrance tunnels must not exceed one-half of the perimeter of the bottom of the pot.

**AMENDATORY SECTION** (Amending Order 87-187 [91-22], filed 11/6/87 [4/23/91])

WAC 220-52-071 SEA CUCUMBERS. It is unlawful to take or possess sea cucumbers taken for commercial purposes except as provided for in this section.

(1) Sea cucumber districts:

(a) Sea Cucumber District 1 is defined as those waters of Marine Fish-Shellfish Management and Catch Reporting Areas 20A, 20B, 21A, 21B, 22A, 22B, and 23B outside of the following closed areas:

(i) San Juan Channel and Upright Channel within the following lines: North of a line from Cattle Point on San Juan Island to Davis Point on Lopez Island and south of a line projected from Flat Point on Lopez Island true west to Shaw Island; west of a line from Neck Point on Shaw Island to Steep Point on Orcas Island; south of a line from Steep Point on Orcas Island to Limestone Point on San Juan Island.

(ii) Haro Strait north of a line projected east-west one-half mile south of Eagle Point on San Juan Island and south of a line projected east-west one-quarter mile north of Lime Kiln Light on San Juan Island.

(iii) Within one-quarter mile of Green Point on Spieden Island.

(iv) Within one-quarter mile of Gull Reef, located between Spieden Island and Johns Island.

(b) Sea Cucumber District 2 is defined as those waters of Marine Fish-Shellfish Management and Catch Reporting Areas 23A, 23C, 23D, 25A, 25B, 25C, 25D, 25E, 29 and those waters west of the Bonilla-Tatoosh Line, Pacific Ocean waters, Grays Harbor, Willapa Bay, and the waters at the mouth of the Columbia River west of the Buoy 10 Line.

(c) Sea Cucumber District 3 is defined as those waters of Marine Fish-Shellfish Management and Catch Reporting Areas 24A, 24B, 24C, 24D, 26A, 26B, 26C, and 26D.

(d) Sea Cucumber District 4 is defined as those waters of Marine Fish-Shellfish Management and Catch

Reporting Areas 27A, 27B, 27C, 28A, 28B, 28C, and 28D.

(2) Sea cucumber areas and seasons:

(a) District 1 open May 1 through October 31, ~~((1987))~~ 1991.

(b) District 2 open May 1 through October 31, ~~((1988))~~ 1992.

(c) District 3 open May 1 through October 31, ~~((1989))~~ 1993 except Marine Fish Shellfish Management and Catch Reporting Area 26C is closed to the harvest of sea cucumbers after August 31, 1993.

(d) District 4 open May 1 through October 31, ~~((1990))~~ 1994.

(e) Other areas and times as authorized by permit issued by the director.

(f) During the seasons provided for in this subsection, harvest is restricted to Monday through Wednesday May 1 through May 14, Monday through Thursday May 15 through June 30, and Monday through Friday thereafter. Divers may not take sea cucumbers from one-half hour before official sunset to official sunrise or 6:00 a.m., whichever is later.

(3) Shellfish diver gear:

(a) Divers must have a permit issued by the director to take sea cucumbers for commercial purposes.

(b) Divers operating from a vessel must have a number assigned by the department placed on both sides and the top of the vessel in such a manner that the number is clearly visible when the vessel is viewed from either side or from the air, and the letters must be black on white no less than eighteen inches in height and of proportional width.

~~(c) ((Divers may not take sea cucumbers from one-half hour before official sunset to official sunrise or 6:00 a.m. whichever is later, or on Sunday.~~

~~(d))~~ Divers may not fish for or possess geoduck clams during commercial sea cucumber harvesting operations, or possess geoduck clams on a vessel that has sea cucumbers on board.

(4) Trawl gear:

(a) Trawl gear is limited to that gear and those times authorized under chapter 220-48 WAC, or otherwise as authorized by a permit issued by the director.

(b) Up to one hundred pounds of sea cucumbers may be taken without regard to other species aboard, but landings of more than one hundred pounds are lawful only if sea cucumbers represent no more than twenty percent of the total weight of fish on board. No trawl vessel may land more than two hundred fifty pounds of sea cucumbers in any one vessel trip except as authorized by permit issued by the director.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**Reviser's note:** RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

## WSR 91-18-031

### EMERGENCY RULES

#### DEPARTMENT OF FISHERIES

[Order 91-74—Filed August 28, 1991, 5:00 p.m., effective September 1, 1991, 12:01 a.m.]

Date of Adoption: August 28, 1991.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order:  
Repealing WAC 220-56-19000M.

Statutory Authority for Adoption: RCW 75.08.080.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: There is a coho quota available for harvest in Marine Areas 1, 2, and 4.

Effective Date of Rule: 12:01 a.m., September 1, 1991.

August 28, 1991

Judith Merchant

Deputy

for Joseph R. Blum

Director

### NEW SECTION

**WAC 220-56-19000N SALTWATER SEASONS AND BAG LIMITS.** Notwithstanding the provisions of WAC 220-56-180 and WAC 220-56-190, effective immediately until further notice, it is unlawful to fish for salmon in Marine Areas 1, 2, 3, and 4, except as provided for in this section:

(1) Areas and times open to salmon angling:

(a) Marine Area 4 east of the Bonilla-Tatoosh Line - 12:01 a.m. September 1 through 11:59 p.m. September 1, 1991.

(b) Marine Area 2 - 12:01 a.m. September 3 through 11:59 p.m. September 4, 1991.

(c) In those waters south of the Red Buoy Line at the mouth of the Columbia River open September 15 through September 26, 1991 or until overall chinook quota (40,000) or coho sub-area quota of 12,700 is met - seven days a week.

(2) Bag Limit - 2 salmon per day, minimum size limit in all ocean waters; chinook salmon 24 inches in length and coho salmon 16 inches in length.

(3) Single point barbless hooks unless otherwise provided for.

(4) Shore based angling from the north jetty of the Columbia River is allowed and single point barbed hooks may be used.

### REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. September 1, 1991:

**WAC 220-56-19000M SALTWATER SEASONS AND BAG LIMITS. (91-70)**

## WSR 91-18-032

## EMERGENCY RULES

## DEPARTMENT OF FISHERIES

[Order 91-75—Filed August 28, 1991, 5:00 p.m.]

Date of Adoption: August 28, 1991.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order:  
Repealing WAC 220-24-02000H.

Statutory Authority for Adoption: RCW 75.08.080.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The Pacific Fisheries Management Council and the Fraser Panel have determined that pink and coho salmon are available for harvest in Areas 1, 2, 3, and 4.

Effective Date of Rule: Immediately.

August 28, 1991

Judith Merchant

Deputy

for Joseph R. Blum

Director

NEW SECTION

**WAC 220-24-02000I COMMERCIAL SALMON TROLL SEASONS.** Notwithstanding the provisions of WAC 220-24-010, WAC 220-24-020, and WAC 220-24-030, effective immediately until further notice it is unlawful to fish for or possess salmon taken for commercial purposes with troll gear in waters west of the Bonilla-Tatoosh line, the Pacific Ocean, or waters west of a line drawn true north-south through Buoy 10 at the mouth of the Columbia River except as provided for in this section:

(1)(a) Waters north of 48°00'15" N. and west of a line from 48°00'15" N., 125°19'15" W. to 48°03'40" N., 125°17'15" W. to 48°07'45" N., 125°11'15" W. to 48°05'00" N., 125°01'00" W. to 48°13'00" N., 124°57'30" W. to 48°16'30" N., 124°58'00" W. to 48°23'00" N., 124°50'00" W. to 48°30'15" N., 124°50'00" W., open on the following days:

August 30 through September 2, 1991.

(b) All salmon caught during the four-day fishery period provided for in this subsection must be sold within 24 hours of the closing date of each fishery and must be sold in the area caught or in an adjacent closed area. No fishing vessel may land more than 80 coho salmon per four-day fishery period.

(c) Terminal gear during the fishing periods provided for in this subsection is restricted to barbless bare blue or pink single shank single point hooks; pink hootchies not more than 3 inches in length may be used; flashers may be used.

(2)(a) Waters south of a line projected true west from Copalis Head to the Oregon-Washington boundary excluding a conservation zone at the mouth of the Columbia River bounded by a line projected six miles

due west from North Head along 46°18'00" N. to 46°18'00" N., 124°13'18" W., thence southerly 167° true to 46°11'06" N., 124°11'00" W. (the Columbia River Buoy), thence northeasterly along the Red Buoy Line to the tip of the south jetty from which conservation zone no salmon may be taken are open on the following days:

September 1 and September 2, 1991.

(b) All salmon caught during the two-day fisheries provided for in this subsection and any salmon taken in Pacific Ocean waters north of Cape Falcon, Oregon, on the days provided for in this subsection must be sold within 24 hours of the closing date of each fishery and must be sold in the area caught or in an adjacent closed area. No fishing vessel may land more than 75 coho salmon per four-day period.

(c) Terminal gear during the fishing periods provided for in this subsection is restricted to barbless single shank single point hooks, flashers and bait or artificial lures may be used.

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

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-24-02000H COMMERCIAL—SALMON TROLL. (91-69)

## WSR 91-18-033

## EMERGENCY RULES

## STATE TOXICOLOGIST

[Filed August 29, 1991, 1:10 p.m.]

Date of Adoption: August 29, 1991.

Purpose: Correction of internal cross references in chapter 448-13 WAC, rules for breath alcohol testing.

Citation of Existing Rules Affected by this Order:  
Amending chapter 448-13 WAC.

Statutory Authority for Adoption: RCW 46.61.506.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The misprint in this WAC section does not change the intent or meaning of the section. It is however essential for the guidance of the courts in the implementation of rules for driving while intoxicated prosecutions. These misprints have been ruled as "harmless error" at district court level.

Effective Date of Rule: Immediately.

August 29, 1991

Barry K. Logan PhD DABFT  
State Toxicologist

AMENDATORY SECTION (Amending WSR 91-06-022, filed 2/26/91, effective 3/29/91)

WAC 448-13-020 APPROVAL OF BREATH TEST INSTRUMENTS. Pursuant to RCW 46.61.506, the BAC Verifier DataMaster is the only infrared breath test instrument approved by the state toxicologist as a device for the measurement of alcohol in a person's breath. A simulator filled with a certified simulator solution will be attached to each instrument to provide a known external standard as defined in WAC ((~~448-13-020(1)~~) 448-13-030(13)). The simulator used must be on the National Highway Traffic Safety Administration (NHTSA) conforming products list. Any agency, group, or individual seeking approval or certification from the state toxicologist for the use of other breath test instruments for evidential breath testing programs in the state of Washington should contact the state toxicologist at the address given in WAC 448-13-210.

AMENDATORY SECTION (Amending WSR 91-06-022, filed 2/26/91, effective 3/29/91)

WAC 448-13-040 ADMINISTRATION OF BREATH TEST ON THE BAC VERIFIER DATAMASTER. The following method for performing a breath test is approved by the state toxicologist pursuant to WAC ((~~448-13-120~~) 448-13-130) and includes the following safeguards to be observed by the operator prior to the test being performed. It must be determined that: (1) The person does not vomit or have anything to eat, drink, or smoke for at least fifteen minutes prior to administration of the test; and (2) the subject does not have any foreign substances, not to include dental work, fixed or removable, in his or her mouth at the beginning of the fifteen minute observation period. Such determination shall be made by either an examination of the mouth or a denial by the person that he or she has any foreign substances in mouth. A test mouthpiece is not to be considered a foreign substance for purposes of this section. The temperature of the solution in the simulator prior to the start of the test must be thirty-four degrees centigrade plus or minus 0.2 degrees centigrade. During the test the person will be required to provide at least two valid breath samples. A refusal to provide a valid breath sample at any point during the test will constitute a refusal. The results of the test will be provided in the form of a printout on a breath test document. These results will indicate the grams of alcohol per two hundred ten liters of breath.

AMENDATORY SECTION (Amending WSR 91-06-022, filed 2/26/91, effective 3/29/91)

WAC 448-13-080 PREPARATION AND CERTIFICATION OF EXTERNAL STANDARD SIMULATOR SOLUTION. The external standard simulator solutions shall be prepared by the forensic toxicology staff in the state toxicology laboratory, using standard laboratory procedures, in such a manner that when used in a BAC Verifier DataMaster the external standard test performed as part of a person's breath test pursuant to WAC 448-13-050, will read between .090 and .110 inclusive, at the time of the test. The principle used for the

preparation of the simulator solutions is that a 0.123g/100mL solution will give a vapor ethanol concentration at 34°C of 0.100g/210L. The protocol which shall be followed for the preparation and certification of the external standard simulator solution will be that protocol currently approved and authorized by the state toxicologist according to WAC ((~~448-13-120~~) 448-13-130) and conforming to WAC 448-14-010. Details of the currently approved and authorized protocols are available upon request from the office of the state toxicologist. Sworn statements from the analyst regarding the preparation, testing, and certification of the simulator solution are available under the provisions of CrRLJ 6.13.

AMENDATORY SECTION (Amending WSR 91-06-022, filed 2/26/91, effective 3/29/91)

WAC 448-13-170 TECHNICIANS. The state toxicologist shall certify as "technicians" such persons found by him to be competent and qualified to maintain the proper working order of the BAC Verifier DataMaster infrared breath testing instrument, through adjustment, repair, and regular service. Further, technicians are authorized by the state toxicologist to perform the procedures approved for periodic quality assurance of the BAC Verifier DataMaster infrared breath testing instruments as required pursuant to WAC ((~~448-13-090~~) 448-13-110). Details of persons so certified shall be maintained by the state toxicologist and available upon request.

If a technician fails or refuses to demonstrate to the state toxicologist or his representative, that he or she has the ability to adequately perform his or her responsibilities as a technician, then the state toxicologist will suspend their permit.

**WSR 91-18-034****PROPOSED RULES****STATE TOXICOLOGIST**

[Filed August 29, 1991, 1:17 p.m.]

## Original Notice.

Title of Rule: Administration of breath test program.

Purpose: Correction of internal cross references in chapter 448-13 WAC, rules for breath alcohol testing.

Other Identifying Information: Emergency rule filed and effective August 29, 1991.

Statutory Authority for Adoption: RCW 46.61.506.

Statute Being Implemented: RCW 46.61.506.

Summary: See Purpose above.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Barry K. Logan PhD DABFT, State Toxicology Lab, HMC, Seattle, (206) 223-3536.

Name of Proponent: Barry K. Logan PhD DABFT, State Toxicologist, governmental.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: Misprints have been ruled as harmless error at district court level.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See Purpose above.

Proposal Changes the Following Existing Rules: Gives correct cross reference information.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: King County Medical Examiner Office, 850 Alder Street, Seattle, WA 98104, on October 8, 1991, at 9:00 a.m.

Submit Written Comments to: State Toxicologist, Harborview Medical Center, ZA-88, 325 Ninth Avenue, Seattle, WA 98104-2499, by October 8, 1991.

Date of Intended Adoption: October 9, 1991.

August 29, 1991

Barry K. Logan PhD DABFT  
State Toxicologist

**AMENDATORY SECTION** (Amending WSR 91-06-022, filed 2/26/91, effective 3/29/91)

WAC 448-13-020 APPROVAL OF BREATH TEST INSTRUMENTS. Pursuant to RCW 46.61.506, the BAC Verifier DataMaster is the only infrared breath test instrument approved by the state toxicologist as a device for the measurement of alcohol in a person's breath. A simulator filled with a certified simulator solution will be attached to each instrument to provide a known external standard as defined in WAC (~~(448-13-020(1))~~) 448-13-030(13). The simulator used must be on the National Highway Traffic Safety Administration (NHTSA) conforming products list. Any agency, group, or individual seeking approval or certification from the state toxicologist for the use of other breath test instruments for evidential breath testing programs in the state of Washington should contact the state toxicologist at the address given in WAC 448-13-210.

**AMENDATORY SECTION** (Amending WSR 91-06-022, filed 2/26/91, effective 3/29/91)

WAC 448-13-040 ADMINISTRATION OF BREATH TEST ON THE BAC VERIFIER DATAMASTER. The following method for performing a breath test is approved by the state toxicologist pursuant to WAC (~~(448-13-120)~~) 448-13-130 and includes the following safeguards to be observed by the operator prior to the test being performed. It must be determined that: (1) The person does not vomit or have anything to eat, drink, or smoke for at least fifteen minutes prior to administration of the test; and (2) the subject does not have any foreign substances, not to include dental work, fixed or removable, in his or her mouth at the beginning of the fifteen minute observation period. Such determination shall be made by either an examination of the mouth or a denial by the person that he or she has any foreign substances in mouth. A test mouthpiece is not to be considered a foreign substance for purposes of this section. The temperature of the solution in the simulator prior to the start of the test must be thirty-four degrees centigrade plus or minus 0.2 degrees centigrade. During the test the person will be required to provide at least two valid breath samples. A refusal to provide a valid breath sample at any point during the test will constitute a refusal. The results of the test will be provided in the form of a printout on a breath test document. These results will indicate the grams of alcohol per two hundred ten liters of breath.

**AMENDATORY SECTION** (Amending WSR 91-06-022, filed 2/26/91, effective 3/29/91)

WAC 448-13-080 PREPARATION AND CERTIFICATION OF EXTERNAL STANDARD SIMULATOR SOLUTION. The external standard simulator solutions shall be prepared by the forensic toxicology staff in the state toxicology laboratory, using standard laboratory procedures, in such a manner that when used in a BAC Verifier DataMaster the external standard test performed as part of a person's breath test pursuant to WAC 448-13-050, will read between .090 and .110 inclusive, at the time of the test. The principle used for the preparation of the simulator solutions is that a 0.123g/100mL solution will

give a vapor ethanol concentration at 34°C of 0.100g/210L. The protocol which shall be followed for the preparation and certification of the external standard simulator solution will be that protocol currently approved and authorized by the state toxicologist according to WAC (~~(448-13-120)~~) 448-13-130 and conforming to WAC 448-14-010. Details of the currently approved and authorized protocols are available upon request from the office of the state toxicologist. Sworn statements from the analyst regarding the preparation, testing, and certification of the simulator solution are available under the provisions of CrRLJ 6.13.

**AMENDATORY SECTION** (Amending WSR 91-06-022, filed 2/26/91, effective 3/29/91)

WAC 448-13-170 TECHNICIANS. The state toxicologist shall certify as "technicians" such persons found by him to be competent and qualified to maintain the proper working order of the BAC Verifier DataMaster infrared breath testing instrument, through adjustment, repair, and regular service. Further, technicians are authorized by the state toxicologist to perform the procedures approved for periodic quality assurance of the BAC Verifier DataMaster infrared breath testing instruments as required pursuant to WAC (~~(448-13-090)~~) 448-13-110. Details of persons so certified shall be maintained by the state toxicologist and available upon request.

If a technician fails or refuses to demonstrate to the state toxicologist or his representative, that he or she has the ability to adequately perform his or her responsibilities as a technician, then the state toxicologist will suspend their permit.

**WSR 91-18-035**

**PROPOSED RULES**

**DEPARTMENT OF HEALTH**

**(Dental Disciplinary Board)**

[Filed August 29, 1991, 2:40 p.m.]

**Original Notice.**

Title of Rule: New section WAC 246-816-160 Amalgam restoration practice standards.

Purpose: To add a new section which pertains to amalgam restoration practice standards relating to dentistry.

Statutory Authority for Adoption: RCW 18.32.640 and 18.130.050(12).

Statute Being Implemented: RCW 18.32.640.

Summary: The proposed rule outlines amalgam restoration practice standards and identifies areas that would be considered unprofessional conduct.

Reasons Supporting Proposal: The Dental Disciplinary Board seeks to identify for the public and dentists, the board's findings related to amalgam removal and set standards, therefore it is necessary to adopt a rule addressing amalgam restoration standards.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Linda McCue, 1300 S.E. Quince Street, EY-26, Olympia, WA 98504, (206) 753-1156.

Name of Proponent: Dental Disciplinary Board, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed rule will clarify that the board finds that it is unprofessional conduct for a dentist to advocate to a patient the removal of clinically serviceable dental amalgam restorations solely to substitute a material that does not contain mercury, except when the patient has

been diagnosed by a qualified physician as being allergic to mercury. It also identifies that any dentist who advertises that dental amalgams are toxic, unsafe or cause health problems or whose advertising promotes the replacement of amalgam restorations solely to substitute a material that does not contain mercury shall be considered to have engaged in advertising which is false, fraudulent, or misleading in violation of RCW 18.130.180(3).

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Seattle Marriott Sea-Tac Airport, Salon B, 18220 Pacific Highway South, Seattle, WA 98188, on October 12, 1991, at 9:00 a.m.

Submit Written Comments to: Linda McCue, Program Manager, 1300 S.E. Quince Street, EY-26, Olympia, WA 98504, by October 2, 1991.

Date of Intended Adoption: October 12, 1991.

August 21, 1991  
Judy Mayo  
Program Administrator

#### NEW SECTION

WAC 246-816-160 AMALGAM RESTORATION PRACTICE STANDARDS. (1) According to the best currently available scientific research and information, the Board finds that the use of dental amalgam as a restorative material does not pose a health hazard to the non-allergic patient. Therefore, the Board finds that it is unprofessional conduct for a dentist to advocate to a patient the removal of clinically serviceable dental amalgam restorations solely to substitute a material that does not contain mercury, except when the patient has been diagnosed by a qualified physician as being allergic to mercury. Such conduct violates RCW 18.130.180(1) as the commission of an act involving moral turpitude, dishonesty, or corruption relating to the practice of dentistry, (13) misrepresentation or fraud in any aspect of the conduct of dental practice and (16) promotion for personal gain of any unnecessary or inefficacious treatment, procedure, or service.

(2) Any dentist who advertises that dental amalgams are toxic, unsafe or cause health problems or whose advertising promotes the replacement of amalgam restorations solely to substitute a material that does not contain mercury shall be considered to have engaged in advertising which is false, fraudulent, or misleading in violation of RCW 18.130.180(3).

**WSR 91-18-036**  
**PERMANENT RULES**  
**DEPARTMENT OF HEALTH**  
**(Board of Medical Examiners)**

[Order 192B—Filed August 29, 1991, 2:43 p.m.]

Date of Adoption: July 26, 1991.

Purpose: To adopt a brief adjudicative proceeding for hearings requested by applicants who do not meet minimum requirements for licensure.

Statutory Authority for Adoption: Chapter 18.71 RCW.

Other Authority: Chapter 34.05 RCW.

Pursuant to notice filed as WSR 91-13-092 on June 19, 1991.

Effective Date of Rule: Thirty-one days after filing.

August 23, 1991

Patti L. Rathbun

Program Manager

Board of Medical Examiners

#### NEW SECTION

WAC 246-917-210 BRIEF ADJUDICATIVE PROCEEDINGS — DENIALS BASED ON FAILURE TO MEET EDUCATION, EXPERIENCE, OR EXAMINATION PREREQUISITES FOR LICENSURE. The board adopts RCW 34.05.482 and RCW 34.05.485 through 34.05.494 for adjudicative proceedings requested by applicants, who are denied a license under chapters 18.71 and 18.71A RCW for failure to meet the education, experience, or examination prerequisites for licensure. The sole issue at the adjudicative proceeding shall be whether the applicant meets the education, experience, and examination prerequisites for the issuance of a license.

**WSR 91-18-037**  
**NOTICE OF PUBLIC MEETINGS**  
**BOARD FOR**  
**VOCATIONAL EDUCATION**  
[Memorandum—August 26, 1991]

THURSDAY, SEPTEMBER 26, 1991  
9:00 A.M.

PIERCE COLLEGE  
PERFORMANCE AND FIRESIDE LOUNGE  
FOURTH LEVEL, MAIN BUILDING  
9401 FARWEST DRIVE  
TACOMA, WASHINGTON

The Washington State Board for Vocational Education (SBVE) will hold a regular business meeting on Thursday, September 26, 1991, beginning at 9:00 a.m., at Pierce College. Primary agenda items will include consideration of job skills program grant applications, approval of the Carl Perkins Act goals and priorities for offender and tech-prep education programs, an update on the single parent/sex equity grant awards process, and a report on the Washington center for vocational educator preparation project.

People needing special accommodations, please call Patsi Justice at (206) 753-5660 or 234-5660 scan.

**WSR 91-18-038**  
**EMERGENCY RULES**  
**DEPARTMENT OF FISHERIES**

[Order 91-76—Filed August 29, 1991, 4:30 p.m., effective September 3, 1991, 12:01 a.m.]

Date of Adoption: August 29, 1991.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order:  
Amending WAC 220-57-160.

Statutory Authority for Adoption: RCW 75.08.080.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Harvestable salmon are available for a recreational fishery.

Effective Date of Rule: 12:01 a.m., September 3, 1991.

August 29, 1991  
Joseph R. Blum  
Director

### NEW SECTION

**WAC 220-57-16000J COLUMBIA RIVER.** *Notwithstanding the provisions of WAC 220-57-160, effective immediately it is unlawful to take, fish for or possess salmon from the Columbia River in those waters downstream from the Megler-Astoria Bridge to the Buoy 10 line except as provided for in this section:*

(1) *Open 12:01 a.m. September 3, to 11:59 p.m. September 30, 1991.*

(2) *Bag Limit - Three salmon per day, chinook salmon minimum size limit 24 inches in length. Coho salmon minimum size limit 16 inches in length. No size limit on other salmon.*

### **WSR 91-18-039**

#### **EMERGENCY RULES**

#### **DEPARTMENT OF FISHERIES**

[Order 91-77—Filed August 29, 1991, 4:33 p.m.]

Date of Adoption: August 29, 1991.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-33-01000X.

Statutory Authority for Adoption: RCW 75.08.080.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The upriver bright chinook quota has been reached.

Effective Date of Rule: Immediately.

August 29, 1991  
Joseph R. Blum  
Director

### REPEALER

*The following section of the Washington Administrative Code is repealed:*

**WAC 220-33-01000X COLUMBIA RIVER GILLNET SEASONS BELOW BONNEVILLE. (91-67)**

### **WSR 91-18-040** **PERMANENT RULES** **SUPERINTENDENT OF** **PUBLIC INSTRUCTION**

[Order 91-20—Filed August 30, 1991, 8:11 a.m., effective August 30, 1991]

Date of Adoption: August 23, 1991.

Purpose: To ensure compliance by the state of Washington with the financial assistance to local school districts' provisions, including those which apply to private schools and local institutions for neglected and delinquent children, of Chapter 1 Regular of the Education Consolidation and Improvement Act of 1981 and accompanying rules and regulations, particularly 34 CFR Part 200.

Citation of Existing Rules Affected by this Order: Amending WAC 392-163-340, 392-163-345, 392-163-355, and 392-163-435.

Statutory Authority for Adoption: RCW 28A.02.100.

Pursuant to notice filed as WSR 91-14-037 on June 26, 1991.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: The immediate filing of this rule is necessary to avoid imminent peril to the public health, safety or welfare of the state school system. The filing of this rule is needed to make Chapter 1 rules consistent with other state fiscal requirements and must be in place prior to September 1, 1991, to do so.

Effective Date of Rule: Immediate.

August 28, 1991  
Judith A. Billings  
Superintendent of  
Public Instruction

### AMENDATORY SECTION (Amending Order 83-2, filed 3/30/83)

**WAC 392-163-340 BUDGET REVISION—** ~~((TWENTY))~~ **TEN PERCENT ALLOWED.** Using the subtotal from Form 1000B Ch-1 as a base, school districts may make annual expenditure adjustments of up to ~~((twenty))~~ **ten** percent of that total in any of the previously budgeted activity or object totals within the approved annual application without filing a request for a budget revision with the superintendent of public instruction.

### AMENDATORY SECTION (Amending Order 83-2, filed 3/30/83)

**WAC 392-163-345 BUDGET REVISIONS—** **UPDATING PLANNED EXPENDITURES.** Except as provided in WAC 392-163-340, each school district shall expend Chapter 1 Regular moneys in accordance with planned expenditures and program description included in the application submitted to and approved by the superintendent of public instruction. A school district shall be required to file a request for a budget revision whenever necessary with the superintendent of public instruction in order to:

(1) Increase the total expenditure of Chapter 1 Regular moneys; or



(2) Change by more than (~~twenty~~) ten percent of the subtotal the expenditures among activity or object totals; or

(3) Expend money in any object or activity where no moneys were budgeted in the original application.

**AMENDATORY SECTION** (Amending Order 83-2, filed 3/30/83)

WAC 392-163-355 PROGRAM UPDATE. No later than thirty calendar days following a substantial program change, a school district shall submit to the superintendent of public instruction a description of such changes. "Substantial changes" shall mean:

(1) Removal of Chapter 1 Regular services from an attendance area listed as "served" on the application;

(2) Addition of Chapter 1 Regular services to an attendance area not listed as "served" in the application;

(3) Modification of the Chapter 1 Regular program in any served attendance area by adding a new program focus, by changing grade levels, or by changing program service delivery models; and/or

(4) Increasing the number of students served in the Chapter 1 Regular program to such an extent that the district must exceed the (~~twenty~~) ten percent budget variance to accommodate serving the additional eligible students.

Notwithstanding the thirty-day provision for notification to the superintendent of public instruction of substantial program changes, if such changes necessitate a budget revision said revision shall be submitted to the superintendent of public instruction for approval prior to implementation of proposed changes.

**AMENDATORY SECTION** (Amending Order 84-49, filed 10/2/84)

WAC 392-163-435 PROGRAM COMPLIANCE REVIEW. The superintendent of public instruction shall conduct program compliance reviews of all school districts receiving Chapter 1 Regular moneys. Review(~~s~~) of each school district shall occur at least once (~~every three years~~) within a three-year plan as established by the superintendent of public instruction. The plan will ensure that no more than three years lapse between reviews for each school district: PROVIDED, That in the case of school districts not reviewed due to exceptional or uncontrollable circumstances, these districts will have first priority for review in the immediate following year. Upon receipt of the compliance review report from the superintendent of public instruction the school district shall have three weeks to respond to the superintendent of public instruction if there are exceptions noted in the report. Substantial noncompliance or failure by the school district to respond and/or initiate corrective action in a timely manner shall be subject to actions prescribed in WAC 392-163-450 and 392-163-455.

**WSR 91-18-041**  
**PERMANENT RULES**  
**OFFICE OF MINORITY AND**  
**WOMEN'S BUSINESS ENTERPRISES**  
 [Filed August 30, 1991, 11:40 a.m.]

Date of Adoption: August 30, 1991.

Purpose: This rule implements chapter 39.19 RCW by promoting minority and women's business participation in state contracting opportunities. Goals are reviewed and implemented annually, to ensure that they are consistent with current information about contracting opportunities and availability of MWBEs.

Citation of Existing Rules Affected by this Order: WAC 326-30-03904 Goals for 1991-92.

Statutory Authority for Adoption: RCW 39.19.030(7).

Pursuant to notice filed as WSR 91-14-105 on July 3, 1991.

Effective Date of Rule: Thirty days after filing.

August 30, 1991  
 James A. Medina  
 Director

**NEW SECTION**

WAC 326-30-03904 GOALS FOR 1991-92. The annual overall goals for each state agency and educational institution for each of the following classes of contracts for the period July 1, 1991 through June 30, 1992, should be:

Construction/Public Works	10% MBE	6% WBE
Architect/Engineering	10% MBE	6% WBE
Purchased Goods and Services	8% MBE	4% WBE
Other Consultants	10% MBE	4% WBE

These MWBE participation goals are based on the state agency's or educational institution's total contracts subject to this chapter within each of the above noted classes of contracts, less excluded contracts.

**WSR 91-18-042**  
**PROPOSED RULES**  
**COUNTY ROAD**  
**ADMINISTRATION BOARD**  
 [Filed August 30, 1991, 1:52 p.m.]

Original Notice.

Title of Rule: New chapter 136-400 WAC, Administration of the county ferry capital improvement program.

Purpose: Adopts permanent rules for the implementation of section 1(4), chapter 310, Laws of 1991, regarding the county ferry capital improvement program.

Other Identifying Information: This is a new rule.

Statutory Authority for Adoption: Section 1(4), chapter 310, Laws of 1991.

Statute Being Implemented: Section 1(4), chapter 310, Laws of 1991.

Summary: Provides direction for implementing section 1(4), chapter 310, Laws of 1991, to enable eligible

counties to apply for funds authorized for the county ferry capital improvement program and to guide agency evaluation and approval of projects.

**Reasons Supporting Proposal:** New program needs rules to guide agency and counties in application for and approval and disbursement of ferry capital improvement funds.

**Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement:** Vern E. Wagar, County Road Administration Board, 753-5989.

**Name of Proponent:** County Road Administration Board, governmental.

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

**Explanation of Rule, its Purpose, and Anticipated Effects:** Provides mechanisms for implementation of county ferry capital improvement program. Establishes rules for eligibility, project submittal, evaluation and approval, fund disbursement and audit.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

**Hearing Location:** Long Beach City Hall Council Chambers, 115 Bolstad Avenue West, Long Beach, WA 98631, on October 9, 1991, at 1:00 p.m.

**Submit Written Comments to:** County Road Administration Board, 2404 Chandler Court S.W., Olympia, WA 98504, by October 4, 1991.

**Date of Intended Adoption:** October 9, 1991.

August 30, 1991

Vern E. Wagar

Executive Director

Chapter 136-400 WAC  
ADMINISTRATION OF THE COUNTY FERRY CAPITAL IMPROVEMENT PROGRAM

NEW SECTION

WAC 136-400-010 **PURPOSE.** Section 1(4), chapter 310, Laws of 1991 (the act), provides that the county road administration board (CRABoard) may evaluate requests for ferry capital improvement funds by Pierce, Skagit, Wahkiakum, and Whatcom counties, and, if approved by the board, submit said requests to the legislature for funding. This chapter describes the manner in which the CRABoard will implement the provisions of the act.

NEW SECTION

WAC 136-400-020 **ELIGIBILITY.** Counties eligible to apply for ferry capital improvement funds are Pierce, Skagit, Wahkiakum, and Whatcom.

NEW SECTION

WAC 136-400-030 **DEFINITION OF FERRY CAPITAL IMPROVEMENT PROJECTS.** Ferry capital improvement projects shall include the following:

- (1) Purchase of new vessels;
- (2) Major vessel refurbishment (e.g., engines, structural steel, controls) that substantially extends the life of the vessel;
- (3) Facility refurbishment/replacement (e.g., complete replacement, major rebuilding or redecking of a dock) that substantially extends the life of the facility;
- (4) Installation of items that substantially improve ferry facilities or operations;
- (5) Construction of infrastructure that provides new or additional access or increases the capacity of terminal facilities; and/or
- (6) Emergency repairs to correct damage to vessels or facilities caused by accidents or natural phenomena.

NEW SECTION

WAC 136-400-040 **SIX-YEAR AND FOURTEEN-YEAR PLAN SUBMITTAL.** Each county's six-year programs and fourteen-year long range ferry capital improvement plans shall be prepared and adopted in accordance with RCW 36.81.121 and 36.54.015, respectively, and one copy shall be forwarded to the CRAB office no later than December 31st of each year. The county's six-year program and fourteen-year ferry capital improvement plan submitted in each odd-numbered year shall include all projects for which the county may request ferry capital improvement funds during the biennium beginning on July 1st of that year. Project cost estimates shall be considered preliminary until a project application is submitted.

NEW SECTION

WAC 136-400-050 **PROJECT APPLICATION.** Each application by a county for ferry capital improvement funds shall be made no later than January 1st of even-numbered years for the biennium beginning on July 1st of the next odd-numbered year. The information submitted to the CRABoard shall include the application form and sufficient engineering drawings to accurately describe the project.

Project applications shall be submitted on application forms supplied by the CRABoard and shall include the following information:

- (1) Project description and scope;
- (2) Engineering analysis and cost estimate;
- (3) Evidence of application for outside funding through the public works trust fund or any other available revenue source;
- (4) Plan for utilization of outside funding that has been, will be, or may be awarded; and
- (5) Comprehensive project amortization and cash flow schedules.

NEW SECTION

WAC 136-400-060 **TECHNICAL REVIEW COMMITTEE.** A technical review committee shall be created to review project applications for ferry capital improvement funds composed of the following members or their designees: Executive director of the CRABoard, assistant secretary WSDOT local programs, a WSDOT marine division engineer, and public works department representatives from each of the four participating counties. The county representatives shall serve as ex officio, nonvoting members of the technical review committee. The technical review committee shall recommend approval of projects that have been submitted in a timely manner and that:

- (1) Meet the applicable statutes and the standards of this chapter; and
- (2) Adhere to commonly held engineering practices and cost effectiveness.

The technical review committee shall recommend an appropriate local match on a project-by-project basis based upon the availability of local matching funds. Written reports on each project recommended for approval shall be submitted to the board no later than thirty days prior to its regularly scheduled spring meeting. Technical review committee meetings shall be convened on an "as needed" basis by the executive director of the CRABoard, who shall serve as chairperson.

NEW SECTION

WAC 136-400-070 **CRABOARD ACTION.** The CRABoard shall review project applications, along with the recommendations of the technical review committee, at its regular spring meeting in even-numbered years. At that time it shall approve those projects which it finds:

- (1) Meet the applicable statutes and the standards of this chapter; and
- (2) Adhere to commonly held engineering practices and cost effectiveness, specifying the amount of approved funding which it recommends for such projects.

The board shall determine a local matching percentage on a case-by-case basis, considering the availability of local matching funds and the recommendation of the technical review committee. Emergent projects may be considered by the CRABoard at any time upon recommendation by the executive director. The board shall require evidence that each applicant has first sought funding through the public works trust fund, and other available revenue sources.

NEW SECTION

**WAC 136-400-080 FUNDING BY THE LEGISLATURE.** County ferry capital improvement project requests approved by the CRABoard shall be submitted to the legislature for funding out of amounts available under RCW 46.68.100(3) as part of the CRABoard's biennial or supplemental budget request.

The CRABoard shall, within ten days of the signing of the transportation budget, notify each county having an approved project of such approval and of the amount of ferry capital improvement funding allocated to each approved project. The CRABoard shall offer such county a contract for each approved project setting forth the terms and conditions under which funds will be provided.

NEW SECTION

**WAC 136-400-090 LIMITATION ON USE OF FERRY CAPITAL IMPROVEMENT FUNDS.** Ferry capital improvement funds may be used for project design, construction, and right-of-way costs incurred after legislative approval. Emergency project costs may be eligible for retroactive payment upon approval by the CRABoard.

NEW SECTION

**WAC 136-400-100 TERMS OF CRAB/COUNTY CONTRACT.** The CRAB/county contract shall include, but not be limited to, the following provisions:

(1) Such contract shall be valid and binding (and the county shall be entitled to receive ferry capital improvement funds) only if such contract is signed and returned to the CRABoard within forty-five days of its mailing by the CRABoard.

(2) The project will be constructed in accordance with (a) the information furnished to the CRABoard, and (b) the plans and specifications prepared under the supervision of the county engineer.

(3) The county will notify the CRABoard when a contract has been awarded and when construction has started, and when the project has been completed.

(4) The CRABoard will reimburse counties on the basis of monthly progress vouchers received and approved on individual projects, subject to the availability of ferry capital improvement funds appropriated by the legislature.

(5) The county will reimburse the CRABoard in the event that a project post audit reveals improper expenditure of ferry capital improvement funds. Said funds will be returned to the county-wide fuel tax account for distribution in accordance with RCW 46.68.120.

NEW SECTION

**WAC 136-400-110 VOUCHER APPROVAL AND PAYMENT.** The CRABoard shall prepare and distribute to all counties with approved ferry capital improvement projects, voucher forms for use in requesting progress and final payments for each approved ferry capital improvement project.

The county constructing each ferry capital improvement project may submit vouchers monthly as the work progresses and shall submit a final voucher after completion of each project for payment of the approved and funded share of the project cost.

The CRABoard shall approve such vouchers for payment to the county submitting the voucher. Upon approval of each ferry capital improvement voucher by the CRABoard it shall be transmitted to the department of transportation for payment to the county submitting the voucher. Ferry capital improvement fund warrants shall be transmitted directly to each county submitting a voucher. In the event that project funds remain unspent after the final project payment has been made, the unspent balance will be returned to the county-wide fuel tax account for distribution in accordance with RCW 46.68.120.

NEW SECTION

**WAC 136-400-120 AUDIT REQUIREMENTS.** Audits of county ferry capital improvement projects may be conducted by the state auditor's office and will normally be conducted in conjunction with the county audits required by RCW 43.09.260 and 36.80.080. Special audits of specific ferry capital improvement projects not required by these statutes may be accomplished at the request, and at the expense, of the CRABoard.

An audit of any county ferry capital improvement project shall include, but not be limited to, a review of the county's compliance with: The provisions of the act; and these rules. The audit shall also include

a review of the financial accounting and reporting of those funds associated with and received for the ferry capital improvement project.

In the event that an exception is noted in the audit report the CRABoard shall evaluate the noted discrepancy. Discrepancies may be cause for the CRABoard to order the payback of improperly expended ferry capital improvement funds as provided in the CRAB/county contract (WAC 136-400-110). Any such funds returned by a county to the CRABoard shall be returned to the county-wide fuel tax account for distribution in accordance with RCW 46.68.120.

NEW SECTION

**WAC 136-400-130 DELEGATION OF AUTHORITY.** In order to ensure effective and timely administration of the county ferry capital improvement program, the CRABoard or its executive director may delegate, in writing, its authority under this chapter.

**WSR 91-18-043  
PROPOSED RULES  
COUNTY ROAD  
ADMINISTRATION BOARD  
[Filed August 30, 1991, 1:54 p.m.]**

Original Notice.

Title of Rule: Amending chapter 136-40 WAC, Accommodation of utilities on county road right of way.

Purpose: Extends adoption and submittal dates for counties one year.

Other Identifying Information: This is an amendment to an existing rule.

Statutory Authority for Adoption: RCW 36.78.070.

Summary: The dates for each county to adopt an accommodation of utilities policy and submit it to the County Road Administration Board would be extended one year to December 31, 1992, and January 31, 1992, respectively.

Reasons Supporting Proposal: Delays in completing a model accommodation of utilities policy as per WAC 136-40-020 of this chapter makes the existing compliance dates unreasonable.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Vern Wagar, County Road Administration Board, 753-5989.

Name of Proponent: County Road Administration Board, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Delays implementation dates for all counties to adopt and submit an accommodation of utilities policy by one year. This extension will permit the County Road Administration Board to complete work on development of a model policy that counties may adopt.

Proposal Changes the Following Existing Rules: Same as above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Long Beach City Hall Council Chambers, 115 Bolstad Avenue West, Long Beach, WA 98631, on October 9, 1991, at 1:00 p.m.

Submit Written Comments to: County Road Administration Board, 2404 Chandler Court S.W., Olympia, WA 98504, by October 4, 1991.

Date of Intended Adoption: October 9, 1991.

August 30, 1991  
Vern E. Wagar  
Executive Director

**AMENDATORY SECTION** (Amending Order 80, filed 11/6/90, effective 12/7/90)

WAC 136-40-030 **ADOPTION AND SUBMITTAL.** Each county legislative authority shall formally adopt, no later than December 31, ~~((1991))~~ 1992, a utility policy regarding accommodation of utilities on county road rights of way that includes all the requirements enumerated in WAC 136-40-020. A copy of such utility policy shall be forwarded to the county road administration board by January 31, ~~((1992))~~ 1993.

**WSR 91-18-044**  
**PROPOSED RULES**  
**COUNTY ROAD**  
**ADMINISTRATION BOARD**  
[Filed August 30, 1991, 1:56 p.m.]

Original Notice.

Title of Rule: Amending chapter 136-20 WAC, Bridge inspections procedure.

Purpose: Modifies existing chapter to conform with national bridge inspection standards.

Other Identifying Information: This is an amendment to an existing rule.

Statutory Authority for Adoption: RCW 36.78.070.

Summary: The recently enacted national bridge inspection standards by the Federal Highway Administration requires additional structure inspections and other related requirements. These amendments require each county to be in compliance with the new standards as a condition of receiving a certificate of good practice under chapter 136-04 WAC.

Reasons Supporting Proposal: Brings agency requirements for counties into conformance with current national practice.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Vern E. Wagar, County Road Administration Board, 753-5989.

Name of Proponent: County Road Administration Board, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: These amendments will result in all counties' continued receipt of the annual certificate of good practice to be contingent upon reasonable compliance with the national bridge inspection standards.

Proposal Changes the Following Existing Rules: Requires counties to meet all requirements of national bridge inspection standards.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Long Beach City Hall Council Chambers, 115 Bolstad Avenue West, Long Beach, WA 98631, on October 9, 1991, at 1:00 p.m.

Submit Written Comments to: County Road Administration Board, 2404 Chandler Court S.W., Olympia, WA 98504, by October 4, 1991.

Date of Intended Adoption: October 9, 1991.

August 30, 1991  
Vern E. Wagar  
Executive Director

**AMENDATORY SECTION** (Amending Order 78, filed 8/16/90, effective 9/16/90)

WAC 136-20-020 **INVENTORY.** Each county road engineer shall have available in his office a complete inventory of all bridges on the county road system. The inventory shall list the location of each bridge by the state road log number and appropriate milepoint, and shall include such other information as the engineer deems necessary. In addition, all data required for the ~~((SWIBS bridge inventory))~~ state of Washington inventory of bridges and structures (SWIBS) data base system as maintained by the Washington state department of transportation (WSDOT) shall be submitted to the ~~((department of transportation state aid))~~ WSDOT local programs bridge engineer on appropriate forms furnished or otherwise approved by the ((department)) WSDOT.

**AMENDATORY SECTION** (Amending Order 78, filed 8/16/90, effective 9/16/90)

WAC 136-20-030 **INSPECTION.** Each county road engineer shall be responsible for all routine and special inspections of all bridges on the county road system in accordance with the ~~((bridge inspection procedure, described in the current edition of the AASHTO manual for maintenance inspection of bridges))~~ National Bridge Inspection Standards (NBIS) as promulgated and periodically revised by the WSDOT local programs office. The county road engineer shall note the date of all inspections and any changes since the previous inspection on the SWIBS form and submit all such forms to the ~~((state aid engineer at a predetermined time))~~ WSDOT local programs bridge engineer within ninety days of each inspection.

**AMENDATORY SECTION** (Amending Order 78, filed 8/16/90, effective 9/16/90)

WAC 136-20-040 **CERTIFICATION.** ~~((Submission by the county road engineer of a dated SWIBS form to the state aid engineer shall be construed as certification that inspection of that bridge has been completed in accordance with the AASHTO inspection procedures. Annually.))~~ Prior to April 1 ((, the state aid engineer)) of each calendar year, WSDOT assistant secretary for local programs will provide CRAB ((and the engineers of the affected counties a listing of all county bridges for which no SWIBS inspection certification has been received during the previous thirty months. Any county with a bridge or bridges on this listing)) the following:

(1) A listing on a county-by-county basis of all county bridges which have not had a regular SWIBS inspection report submitted within the previous thirty months; and

(2) A listing on a county-by-county basis of all county bridges which have not had a required special inspection report submitted within six months after the required inspection date; and

(3) A listing of all counties which are not in compliance with the requirements of the National Bridge Inspection Standards and the status of efforts toward achieving such compliance.

Any county which is not in compliance with the NBIS or has a bridge or bridges on any of the above listings shall be assumed to be not in compliance with bridge inspection procedures.

**AMENDATORY SECTION** (Amending Order 78, filed 8/16/90, effective 9/16/90)

WAC 136-20-060 **ENGINEER'S REPORT.** Each county road engineer shall furnish the county legislative authority with a written resume of the findings of the bridge inspection effort. This resume shall be made available to said authority ~~((no later than June 1 of each year))~~ and shall be consulted during the preparation of the proposed six year program revision. The resume shall include the engineer's recommendations as to replacement, repair or load restriction for each deficient bridge. The resolution of adoption of the six year program shall include assurances to the effect that the engineer's report with respect to deficient bridges was available to said authority during the preparation of the program.

**WSR 91-18-045**  
**EMERGENCY RULES**  
**COUNTY ROAD**  
**ADMINISTRATION BOARD**

[Filed August 30, 1991, 2:00 p.m., effective September 30, 1991]

Date of Adoption: August 2, 1991.

Purpose: Adopts emergency rules for the implementation of section 1(4), chapter 310, Laws of 1991, regarding the county ferry capital improvement program.

Statutory Authority for Adoption: Section 1(4), chapter 310, Laws of 1991.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Program requires adoption of rules to allow participants to apply for funding prior to submittal of supplemental CRAB budget.

Effective Date of Rule: September 30, 1991.

August 30, 1991  
Vern E. Wagar  
Executive Director

*Chapter 136-400 WAC*  
**ADMINISTRATION OF THE COUNTY FERRY**  
**CAPITAL IMPROVEMENT PROGRAM**

NEW SECTION

WAC 136-400-010 *PURPOSE.* Section 1(4), chapter 310, Laws of 1991 (the act), provides that the county road administration board (CRABoard) may evaluate requests for ferry capital improvement funds by Pierce, Skagit, Wahkiakum, and Whatcom counties, and, if approved by the board, submit said requests to the legislature for funding. This chapter describes the manner in which the CRABoard will implement the provisions of the act.

NEW SECTION

WAC 136-400-020 *ELIGIBILITY.* Counties eligible to apply for ferry capital improvement funds are Pierce, Skagit, Wahkiakum, and Whatcom.

NEW SECTION

WAC 136-400-030 *DEFINITION OF FERRY CAPITAL IMPROVEMENT PROJECTS.* Ferry capital improvement projects shall include the following:

- (1) Purchase of new vessels;
- (2) Major vessel refurbishment (e.g., engines, structural steel, controls) that substantially extends the life of the vessel;
- (3) Facility refurbishment/replacement (e.g., complete replacement, major rebuilding or redecking of a dock) that substantially extends the life of the facility;
- (4) Installation of items that substantially improve ferry facilities or operations;

(5) Construction of infrastructure that provides new or additional access or increases the capacity of terminal facilities; and/or

(6) Emergency repairs to correct damage to vessels or facilities caused by accidents or natural phenomena.

NEW SECTION

WAC 136-400-040 *SIX-YEAR AND FOURTEEN-YEAR PLAN SUBMITTAL.* Each county's six-year programs and fourteen-year long range ferry capital improvement plans shall be prepared and adopted in accordance with RCW 36.81.121 and 36.54.015, respectively, and one copy shall be forwarded to the CRAB office no later than December 31st of each year. The county's six-year program and fourteen-year ferry capital improvement plan submitted in each odd-numbered year shall include all projects for which the county may request ferry capital improvement funds during the biennium beginning on July 1st of that year. Project cost estimates shall be considered preliminary until a project application is submitted.

NEW SECTION

WAC 136-400-050 *PROJECT APPLICATION.* Each application by a county for ferry capital improvement funds shall be made no later than January 1st of even-numbered years for the biennium beginning on July 1st of the next odd-numbered year. The information submitted to the CRABoard shall include the application form and sufficient engineering drawings to accurately describe the project.

Project applications shall be submitted on application forms supplied by the CRABoard and shall include the following information:

- (1) Project description and scope;
- (2) Engineering analysis and cost estimate;
- (3) Evidence of application for outside funding through the public works trust fund or any other available revenue source;
- (4) Plan for utilization of outside funding that has been, will be, or may be awarded; and
- (5) Comprehensive project amortization and cash flow schedules.

NEW SECTION

WAC 136-400-060 *TECHNICAL REVIEW COMMITTEE.* A technical review committee shall be created to review project applications for ferry capital improvement funds composed of the following members or their designees: Executive director of the CRABoard, assistant secretary WSDOT local programs, a WSDOT marine division engineer, and public works department representatives from each of the four participating counties. The county representatives shall serve as ex officio, nonvoting members of the technical review committee. The technical review committee shall recommend approval of projects that have been submitted in a timely manner and that:

- (1) Meet the applicable statutes and the standards of this chapter, and

(2) Adhere to commonly held engineering practices and cost effectiveness.

The technical review committee shall recommend an appropriate local match on a project-by-project basis based upon the availability of local matching funds. Written reports on each project recommended for approval shall be submitted to the board no later than thirty days prior to its regularly scheduled spring meeting. Technical review committee meetings shall be convened on an "as needed" basis by the executive director of the CRABoard, who shall serve as chairperson.

#### NEW SECTION

**WAC 136-400-070 CRABOARD ACTION.** The CRABoard shall review project applications, along with the recommendations of the technical review committee, at its regular spring meeting in even-numbered years. At that time it shall approve those projects which it finds:

(1) Meet the applicable statutes and the standards of this chapter; and

(2) Adhere to commonly held engineering practices and cost effectiveness, specifying the amount of approved funding which it recommends for such projects.

The board shall determine a local matching percentage on a case-by-case basis, considering the availability of local matching funds and the recommendation of the technical review committee. Emergent projects may be considered by the CRABoard at any time upon recommendation by the executive director. The board shall require evidence that each applicant has first sought funding through the public works trust fund, and other available revenue sources.

#### NEW SECTION

**WAC 136-400-080 FUNDING BY THE LEGISLATURE.** County ferry capital improvement project requests approved by the CRABoard shall be submitted to the legislature for funding out of amounts available under RCW 46.68.100(3) as part of the CRABoard's biennial or supplemental budget request.

The CRABoard shall, within ten days of the signing of the transportation budget, notify each county having an approved project of such approval and of the amount of ferry capital improvement funding allocated to each approved project. The CRABoard shall offer such county a contract for each approved project setting forth the terms and conditions under which funds will be provided.

#### NEW SECTION

**WAC 136-400-090 LIMITATION ON USE OF FERRY CAPITAL IMPROVEMENT FUNDS.** Ferry capital improvement funds may be used for project design, construction, and right-of-way costs incurred after legislative approval. Emergency project costs may be eligible for retroactive payment upon approval by the CRABoard.

#### NEW SECTION

**WAC 136-400-100 TERMS OF CRAB/COUNTY CONTRACT.** The CRAB/county contract shall include, but not be limited to, the following provisions:

(1) Such contract shall be valid and binding (and the county shall be entitled to receive ferry capital improvement funds) only if such contract is signed and returned to the CRABoard within forty-five days of its mailing by the CRABoard.

(2) The project will be constructed in accordance with (a) the information furnished to the CRABoard, and (b) the plans and specifications prepared under the supervision of the county engineer.

(3) The county will notify the CRABoard when a contract has been awarded and when construction has started, and when the project has been completed.

(4) The CRABoard will reimburse counties on the basis of monthly progress vouchers received and approved on individual projects, subject to the availability of ferry capital improvement funds appropriated by the legislature.

(5) The county will reimburse the CRABoard in the event that a project post audit reveals improper expenditure of ferry capital improvement funds. Said funds will be returned to the county-wide fuel tax account for distribution in accordance with RCW 46.68.120.

#### NEW SECTION

**WAC 136-400-110 VOUCHER APPROVAL AND PAYMENT.** The CRABoard shall prepare and distribute to all counties with approved ferry capital improvement projects, voucher forms for use in requesting progress and final payments for each approved ferry capital improvement project.

The county constructing each ferry capital improvement project may submit vouchers monthly as the work progresses and shall submit a final voucher after completion of each project for payment of the approved and funded share of the project cost.

The CRABoard shall approve such vouchers for payment to the county submitting the voucher. Upon approval of each ferry capital improvement voucher by the CRABoard it shall be transmitted to the department of transportation for payment to the county submitting the voucher. Ferry capital improvement fund warrants shall be transmitted directly to each county submitting a voucher. In the event that project funds remain unspent after the final project payment has been made, the unspent balance will be returned to the county-wide fuel tax account for distribution in accordance with RCW 46.68.120.

#### NEW SECTION

**WAC 136-400-120 AUDIT REQUIREMENTS.** Audits of county ferry capital improvement projects may be conducted by the state auditor's office and will normally be conducted in conjunction with the county audits required by RCW 43.09.260 and 36.80.080. Special audits of specific ferry capital improvement projects not required by these statutes may be accomplished at the request, and at the expense, of the CRABoard.

An audit of any county ferry capital improvement project shall include, but not be limited to, a review of the county's compliance with: The provisions of the act, and these rules. The audit shall also include a review of the financial accounting and reporting of those funds associated with and received for the ferry capital improvement project.

In the event that an exception is noted in the audit report the CRABoard shall evaluate the noted discrepancy. Discrepancies may be cause for the CRABoard to order the payback of improperly expended ferry capital improvement funds as provided in the CRAB/county contract (WAC 136-400-110). Any such funds returned by a county to the CRABoard shall be returned to the county-wide fuel tax account for distribution in accordance with RCW 46.68.120.

#### NEW SECTION

**WAC 136-400-130 DELEGATION OF AUTHORITY.** In order to ensure effective and timely administration of the county ferry capital improvement program, the CRABoard or its executive director may delegate, in writing, its authority under this chapter.

**WSR 91-18-046**  
NOTICE OF PUBLIC MEETINGS  
DEPARTMENT OF  
COMMUNITY DEVELOPMENT  
[Memorandum—August 21, 1991]

The Department of Community Development will hold three formal public hearings on October 1, 1991, 7 - 8:45 p.m., to hear comments on the draft 1992 comprehensive housing affordability strategy for the state of Washington.

Hearing locations are as follows:

Seattle	Seattle Public Library Auditorium 1000 Fourth Avenue Seattle, WA 98104-1193
Yakima	Yakima County Courthouse Room 416 128 North Second Street Yakima, WA 98901
Spokane	Spokane County Public Health Center Room 140 West 1101 College Avenue Spokane, WA 99201

**WSR 91-18-047**  
NOTICE OF PUBLIC MEETINGS  
SEATTLE COMMUNITY COLLEGES  
[Memorandum—August 27, 1991]

The location of two of the regular meetings of the board of trustees of the Seattle Community College District have been changed back to their original locations.

The October 1 meeting will now be held at Seattle Central Community College, 1701 Broadway, Seattle, WA 98122. The December 3 meeting will be held at Seattle Community College District Office, 1500 Harvard, Seattle, WA 98122.

**WSR 91-18-048**  
PROPOSED RULES  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES  
(Institutions)

[Filed August 30, 1991, 2:20 p.m.]

Original Notice.

Title of Rule: WAC 275-16-030 Schedule of charges.

Purpose: The purpose of this rule revision is to revise the schedule of charges for the state operated mental health facilities. The charges are based on the cost of operations. Costs rise each year due to staff compensation increases authorized by the legislature and due to inflation. Increased rates result in additional revenue to the state to cover the rise in costs of operations.

Statutory Authority for Adoption: RCW 43.20B.335.

Statute Being Implemented: RCW 43.20B.325.

Summary: The schedule of charges for daily patient hospitalizations and ancillary services at Western State Hospital and Eastern State Hospital and daily cost of in-patient residential care at child study and treatment center, and at PORTAL are revised based on the costs of operating each facility. The charges are used for billing purposes to Medicare, Medicaid, and third party resources for the patients.

Reasons Supporting Proposal: To comply with RCW 43.20B.325 and the state Medicaid plan, which requires charges for hospitalization of patients in state operated mental health facilities be based on the cost of operation.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Jan Wells, Mental Health Division, 753-2743.

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

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

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on October 8, 1991, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop 5805, Olympia, Washington 98504, by October 8, 1991.

Date of Intended Adoption: October 22, 1991.

August 30, 1991  
Leslie F. James, Director  
Administrative Services



**AMENDATORY SECTION** (Amending Order 3155, filed 3/26/91, effective 4/26/91)

WAC 275-16-030 SCHEDULE OF CHARGES. Under RCW 43.20B.325, the department shall base hospitalization charges for patients in state hospitals on the actual operating costs of such hospitals ((for the previous year)). The department shall require patient's hospitalization charges ((are)) due and payable on or before the tenth day of each calendar month for services rendered to department patients ((of the department)) during the preceding month, based upon the following schedule:

(1) COSTING AND BILLING RATES

	Western State Hospital	Child Study and Treatment Center	Eastern State Hospital
<b>(a) INPATIENT SERVICES -</b>			
Hospital Costs Per Day	\$(( <del>224.00</del> <del>208.23</del> <del>228.49</del> ))		
	<u>243.84</u>	<u>320.00</u>	<u>251.17</u>
Physician Costs	*	15.56	*
((Clozapine Costs Per Week	<del>172.00</del>		<del>172.00</del>
*The department shall bill the client for physician costs on a fee-for-service basis.			
<b>(b) OUTPATIENT SERVICES -</b>			
Per diem			
Outpatient Day Care Per Day	—	(( <del>89.30</del> <del>80.48</del> ))	—
Per Hour	—	(( <del>15.92</del> <u>11.50</u> ))	—
<b>(c) ANCILLARY SERVICES -</b>			
Per relative value unit <sup>1/</sup>			
Radiology	(( <del>4.20</del> <del>4.20</del> <del>5.90</del> ))		
	<u>4.91</u>	<u>4.91</u>	<u>7.70</u>
Pathology	(( <del>.31</del> <del>.31</del> <del>.29</del> ))		
	<u>.42</u>	<u>.42</u>	<u>.31</u>
Medical Clinics	(( <del>1.78</del> <del>1.78</del> <del>7.31</del> ))		
	<u>1.89</u>	<u>1.89</u>	<u>8.66</u>
Electroencephalogram	(( <del>1.09</del> <del>1.09</del> <del>1.09</del> ))		
	<u>.93</u>	<u>.93</u>	<u>.93</u>
Electrocardiogram	.18	.18	(( <del>.62</del> <u>.52</u> ))
Physical Therapy	(( <del>5.06</del> <del>5.06</del> <del>12.05</del> ))		
	<u>5.74</u>	<u>5.74</u>	<u>12.91</u>
Occupational Therapy	—	—	(( <del>26.89</del> <u>28.01</u> ))
Speech Therapy	—	—	(( <del>16.68</del> <u>23.51</u> ))
Dental	(( <del>29.46</del> <del>29.60</del> <del>40.60</del> ))		
	<u>36.25</u>	<u>36.25</u>	<u>42.98</u>
Podiatry	1.28	1.28	1.00
<b>(d) RESIDENTIAL SERVICES -</b>			
	Pals	Portal	
Costs Per Day	<u>133.22</u>	<u>83.70</u>	

(2) The department shall purchase services required by the patient, not provided by hospital staff, from private sources and the patient shall be charged actual cost of services.

<sup>1/</sup>California Medical Association. Relative Value Studies. Fifth edition. San Francisco: 693 Sutter Publication, Inc., 1969, 135 pp.

**WSR 91-18-049**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Filed August 30, 1991, 2:21 p.m.]

Original Notice.

Title of Rule: Chapter 388-11 WAC, Child support—Obligations.

Purpose: To remove inconsistent sections from existing regulations.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: Chapter 367, Laws of 1991 and chapter 28, Laws of 1991 1st sp. sess.

Summary: This rule is being filed emergency because the agency did not have sufficient time to revise existing regulations to comply with these two bills. ESSB 5996 was passed in the special session. This filing will allow the agency sufficient time to complete the permanent rule-making process by removing inconsistent regulations by the date these new laws take effect.

Reasons Supporting Proposal: Avoid problems associated with existing regulations conflicting with new law taking effect September 1, 1991.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Steven Cesar, Support Enforcement, 586-3515.

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

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

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on October 8, 1991, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop 5805, Olympia, Washington 98504, by October 8, 1991.

Date of Intended Adoption: October 22, 1991.

August 30, 1991

Leslie F. James, Director  
 Administrative Services

**AMENDATORY SECTION** (Amending Order 2689, filed 8/30/88)

WAC 388-11-055 PETITION FOR HEARING AFTER TWENTY DAYS—STAY. (1) The responsible parent may, at any time((- upon a showing of good cause for the failure to make a timely request for hearing)), petition the secretary or the secretary's designee for a late hearing. ((The petition shall state the grounds alleged by the responsible parent to constitute good cause for the failure to make a timely request for hearing.))

(2) A copy of the petition shall also be served by certified mail, return receipt requested, or like a summons in a civil action on the district office of the office of support enforcement.

(3) The filing of a petition for a late hearing shall not stay any collection action being taken under chapter 74.20A RCW.

((~~(4) The granting of a request for a hearing under subsection (1) above shall operate as a stay on any action to collect moneys due under the original notice.~~

(5) A hearing under this section shall be scheduled to consider:

(a) Whether good cause exists to grant a hearing;

(b) Setting of temporary current and future support;

(c) Settlement of any or all of the issues; and

(d) Such other matters as may aid in disposition of the proceeding.

(6) The office of support enforcement may petition for temporary current and future support any time prior to the final decision. The administrative law judge shall, in writing, order payment of temporary, current and future support in an amount determined under WAC 388-11-205.

(a) Payment shall be ordered to be paid beginning with the month in which the petition for a late hearing is granted.

(b) In the event the responsible parent does not make payment of the temporary current and future support as ordered, the office of support enforcement may take collection action pursuant to chapters 26.23 and 74.20A RCW during the pendency of the hearing or thereafter to collect any amounts owing under the temporary order.

(7) Moneys withheld as a result of collection action in effect at the time of granting of the request for the hearing shall be delivered to and held by the office of support enforcement pending the final order of the secretary or during the pendency of any appeal to the courts. Temporary current and future support paid, or collected during the pendency of the hearing or appeal shall be disbursed when received by the office of support enforcement.

(8) If the final decision of the department or the courts on appeal is that the department has collected an amount from the responsible parent greater than such parent's past support debt, other than temporary current and future support, such excess shall promptly be refunded to such parent.)

**Reviser's note:** The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

#### AMENDATORY SECTION (Amending Order 2689, filed 8/30/88)

WAC 388-11-140 MODIFICATION. (1) A responsible parent whose support obligation has been administratively established or the office of support enforcement may request a hearing to prospectively modify the parent's obligation ((if circumstances have materially changed. The request shall be in affidavit form and shall state:

- (a) The circumstances that have changed, and
- (b) The amount of support the circumstances now warrant)).

(2) The petitioning party shall serve the request for modification on the responding party like a summons in a civil action or by certified mail, return receipt requested.

(3) ((The petitioning party need not show a change of circumstance if the original support obligation was established under WAC 388-11-050.

(4)) If the responding party fails to appear at the hearing, the administrative law judge shall issue a default order based on the terms set out in the request for modification. If the petitioning party fails to appear at the hearing, the administrative law judge shall enter an order dismissing the request for modification.

((5)) (4) The administrative law judge may set the effective date of modification as the date the order is issued, the date the request was made, or any time in between. If no effective date is set, the effective date shall be the date the modification order is entered.

#### AMENDATORY SECTION (Amending Order 3081, filed 9/28/90, effective 10/29/90)

WAC 388-11-200 FINANCIAL WORKSHEET CALCULATIONS. (1) A responsible parent and any residential parent shall complete a financial worksheet under penalty of perjury when an adjudicative proceeding has been requested or when support is determined by consent order or agreed settlement. The office of support enforcement (OSE) and the presiding or review officer in an adjudicative proceeding under this chapter shall only accept approved worksheets under chapter 26.19 RCW. The OSE may complete a worksheet on behalf of a residential parent receiving public assistance or residing in another state.

((2) A parent shall include as gross income money from any source, including, but not limited to:

- (a) Salaries;
- (b) Wages;
- (c) Commissions;
- (d) Bonuses;
- (e) Deferred compensation;
- (f) Overtime;
- (g) Dividends;
- (h) Interest;
- (i) Trust income;
- (j) Severance pay;
- (k) Annuities;
- (l) Capital gains;
- (m) Social security benefits;
- (n) Worker's compensation;

- (o) Unemployment compensation;
- (p) Disability insurance benefits;
- (q) Gifts; and
- (r) Prizes.

(3) A parent shall disclose the receipt of AFDC, SSI, general assistance, and food stamps, but these benefits shall not be counted as income or used as a reason for deviation from the economic table.

(4) A parent shall deduct only income taxes, FICA, mandatory pension plan payments, mandatory union/professional dues, nonrecurring overtime/bonus income, and nonrecurring gifts and prizes from gross income. A self-employed parent shall deduct normal business expenses and self-employment taxes.

(5) OSE and the presiding or review officer shall impute income to a parent voluntarily unemployed or underemployed as follows:

(a) For a parent who quit the parent's last job without cause, was fired for cause, or chooses not to work, impute income equal to the amount of the parent's last full-time wage;

(b) For a parent voluntarily working less than full-time, impute income equal to the amount the parent would earn if working full-time at the parent's present job. Do not consider the parent underemployed if employed on a full-time basis;

(c) For a parent unemployed through no personal fault, impute income equal to the parent's earning potential. Presume a parent capable of full-time employment at the minimum wage;

(d) Impute no income to a residential parent receiving public assistance if the parent complies with all assistance program job search, education, or training requirements. Presume a residential parent receiving public assistance in compliance with the requirements of the program;

(e) Impute no income to an unemployable parent. Lack of employment opportunities alone shall not render a parent unemployable.

(6) If a parent's actual income is unknown and there is insufficient information to impute income, OSE and the presiding or review officer shall apply the approximate median net income chart published in the Washington state child support schedule.)

#### AMENDATORY SECTION (Amending Order 3081, filed 9/28/90, effective 10/29/90)

WAC 388-11-205 ASSESSING SUPPORT. (1) ((The office of support enforcement (OSE) and the presiding or review officer in an adjudicative proceeding under this chapter shall determine the net income of a responsible parent and any residential parent according to WAC 388-11-200.

(2)) OSE and the presiding or review officer shall determine the basic support obligation:

(a) Based on the combined net incomes of a responsible parent and any residential parent, rounded to the nearest one hundred dollars;

(b) For each child, according to the economic table and the total number of children on whose behalf support is sought;

(c) In total; and

(d) Allocate between the parents based on each parent's share of the total combined net income.

((3)) (2) OSE and the presiding or review officer shall adjust a responsible parent's share of the basic support obligation to reflect circumstances in the parent's household and the household of any residential parent. OSE and the presiding or review officer may, their discretion, deviate from the amount of child support calculated using the standard calculation. No deviation from the standard may be made without specific reasons for these deviations set forth in the order and supported by the evidence. ((Reasons for deviation include:

(a) The existence of another dependent child for whom a responsible or residential parent has a duty to support;

(b) The existence of another adult in the household of the responsible or residential parent;

(c) Recurrent income received by the child on whose behalf support is sought;

(d) Extraordinary debt, not voluntarily incurred by the responsible or residential parent;

(e) Wealth of the responsible or residential parent;

(f) Unavoidable living costs exceeding twice the need standard of WAC 388-29-100 for the responsible or residential parent;

(g) Any other unusual circumstances existing for the responsible or residential parent.

(4)) (3) If requested, OSE and the presiding or review officer shall: (a) Assess responsibility for known health care, day care, and special child rearing expenses under the Washington state child support schedule, worksheet A, part II;

(b) Apportion responsibility for unknown and or future health care, day care, and special child-rearing expenses between the parents in the same proportion as the basic support obligation; and

(c) Assess responsibility for birth costs under WAC 388-11-220(5).

~~((15))~~ (4) A responsible parent's total support obligation shall consist of:

(a) The responsible parent's adjusted share of the basic support obligation;

(b) Amounts the responsible parent is obligated to pay for health insurance; and

(c) Amounts the responsible parent is obligated to pay for special child-rearing expenses.

~~((6))~~ (5) A responsible parent shall pay health insurance premiums directly to the responsible parent's insurance provider. The responsible parent shall pay all other amounts, including amounts currently paid to third parties for special child-rearing expenses, to OSE.

~~((7))~~ A responsible parent's total administrative support obligation shall not exceed fifty percent of the responsible parent's net income unless the presiding officer finds the fifty percent limitation shall not apply because:

(a) The responsible parent has wealth;

(b) A child on whose behalf support is sought has special medical or educational needs;

(c) The department assesses support for five or more children; or

(d) There are special child-rearing expenses.

(8) When the parents' combined monthly net income exceeds the highest level in the economic table, set support at the schedule amount for that income level plus any additional amount supported by written findings of fact.

(9)) (6) In cases where the department is assessing a child support debt for a dependent child placed in foster care or living with a non-needy relative, calculate the support obligation using the child support schedule as follows:

(a) Combine the net income of both parents in the "father" column on the worksheet and attribute no income in the "mother" column when the responsible parents reside together;

(b) Calculate each parent's support obligation independently and attribute no income to the other parent when the responsible parents do not reside together; and

(c) Assess support only for the child named in the notice.

**AMENDATORY SECTION** (Amending Order 3081, filed 9/29/90, effective 10/29/90)

WAC 388-11-210 ADMINISTRATIVE ORDERS. Every administrative order shall include the:

(1) Responsible parent's and residential parent's net income;

(2) Amount of the responsible parent's share of the basic support obligation without adjustments;

(3) Amount of the responsible parent's share of the basic support obligation after adjustments;

(4) Specific reasons for deviation, if the adjusted amount is different than the unadjusted amount;

(5) Total amount of the responsible parent's support obligation;

(6) Specific day of the month on which the support payment is due;

(7) Responsible parent's Social Security number, residence address, and the name of the responsible parent's employer;

(8) Residential parent's Social Security number;

(9) Names, birthdates, and Social Security numbers, if any, of the dependent child;

(10) Disposition of the responsible parent's obligation to provide health insurance under WAC 388-11-215;

(11) Statement that the responsible parent shall make the responsible parent's payment to the Washington state support registry;

(12) ~~((Statement that the department may issue a notice of payroll deduction under chapter 26.23 RCW or may take other income withholding action under chapters 26.18 or 74.20A RCW at any time, without further notice to the responsible parent;~~

~~((13))~~ Statement that each parent shall notify the Washington state support registry of a change in resident address;

~~((14))~~ (13) Statement that a support obligation established under this chapter shall continue until:

(a) Modified under WAC 388-11-140;

(b) Superseded by a superior court order; or

(c) The child for whom support is assessed reaches the age of majority or is emancipated; and

~~((15))~~ (14) Statement that the responsible parent is liable for the following costs based on the parent's proportionate share of the basic support obligation, if these costs are known when the order is entered:

(a) Health care costs, including extraordinary health care costs, not covered by health insurance;

(b) Day care expenses; and

(c) Approved special child rearing expenses.

**WSR 91-18-050**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Filed August 30, 1991, 2:22 p.m.]

Original Notice.

Title of Rule: WAC 388-87-070 Patient—Hospital inpatient services; and 388-37-072 Patient—Hospital outpatient services.

Purpose: To incorporate into the rules changes in the hospital payment process for the medically indigent.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: RCW 74.08.090.

Summary: These rules set guidelines for payment to hospitals for the state-funded medical program.

Reasons Supporting Proposal: This rule is necessary to establish current rules for paying hospitals for the medically indigent clients.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Bobbe Andersen, Medical Assistance, 753-0529.

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

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

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on October 8, 1991, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop 5805, Olympia, Washington 98504, by October 8, 1991.

Date of Intended Adoption: October 22, 1991.

August 30, 1991

Leslie F. James, Director  
Administrative Services

**AMENDATORY SECTION** (Amending Order 3161, filed 4/23/91, effective 5/24/91)

WAC 388-87-070 PAYMENT—HOSPITAL INPATIENT SERVICES. (1) For eligible recipients, the department shall pay for inpatient hospital services when:

(a) The eligible recipient is a patient in a general hospital when ~~((such))~~ the hospital meets the current criteria ~~((as))~~ defined in RCW 70.41.020, or as ~~((now or hereafter))~~ amended in the future;

(b) The services are medically necessary as defined under WAC 388-80-005;

(c) Effective with the 1990 annual cost reporting period, in-state and border hospital providers (~~shall~~) annually:

(i) Submit a copy of their annual Medicare HCFA 2552 cost report, except as described under item (1)(c)(ii) of this section:

(A) According to the applicable Medicare statutes, regulation, and instructions;

(B) Within one-hundred twenty days from the end of the hospital's fiscal year; or

(C) If the hospital provider's contract is terminated, within one-hundred twenty days of the effective termination date.

(ii) Request up to a thirty-day extension of the time for submitting the cost report in writing at least ten days prior to the report due date (~~of the report~~). The extension request shall contain:

(A) The report's completion date (~~of the report~~); and

(B) The circumstances prohibiting compliance with the report due date.

(iii) Maintain(~~s~~) adequate records for:

(A) Audit and review purposes; and

(B) Assurance of cost report accuracy (~~of cost report~~).

~~((d))~~ (2) If the hospital provider improperly completes a cost report or the cost report is received after the due date or approved extension dates, the department may hold all or part of the payment due (~~may be held by the department~~) until the department receives the properly completed or late report.

~~((e))~~ (3) The department shall determine payment for hospital inpatient services according to a diagnosis related group (DRG) based formula payment system established by the department, except for hospitals participating in the selective contracting program as described under WAC 388-86-051 and services excluded from DRG-based reimbursement as prescribed in subsection ~~((f))~~ (5) of this section. The department shall base formula price payments on the methodology prescribed in the department's state plan under Title XIX of the Social Security Act, Methods and Standards Used for Establishing Payment Rates for Hospital Inpatient Services (hereafter referred to as the Title XIX state plan).

~~((g))~~ (4) The all inclusive-conversion factor of selective contracting hospitals for inpatient hospital services is identified in Appendix B of such selective contracts. The rate shall be inclusive of all inpatient services (~~provided~~) the contractor provides directly or indirectly (~~by the contractor~~) and constitutes the department's maximum financial obligation under the contract.

~~((h))~~ (5) Certain services are excluded from the DRG-based payment system. These exclusions shall include:

(a) Rehabilitation services provided in department-approved rehabilitation hospitals and general hospital distinct units, and services for physical medicine and rehabilitation (PM&R) patient;

(b) Pain treatment provided in department-approved pain treatment facilities;

(c) Free standing psychiatric hospitals;

(d) Alcoholism treatment and detoxification provided in a department-approved alcohol treatment center (ATC);

(e) Detoxification, medical stabilization, and drug treatment for the pregnant Medicaid recipient at the division of alcoholism and substance abuse certified hospitals;

(f) Neonates, DRGs 385-389;

(g) Long-term hospital level care services;

(h) Services provided to patients occupying beds utilized by the Fred Hutchinson Cancer Research Center bone marrow transplant program;

(i) Health maintenance organization (HMO) hospitals providing inpatient services to HMO enrollees; and

(j) Department-approved services to AIDS patients.

~~((i))~~ (6) The department shall pay for non-DRG-based services based on the payment methodology as prescribed in the department's Title XIX state plan. For out-of-state hospitals, the department shall apply the Washington state-wide weighted average method to allowable charges. Border area hospitals shall be paid in the same manner as in-state hospitals.

~~((j))~~ (7) Disproportionate share payment may contain one or more of the following components:

(a) Low-income component based on a hospital's Medicaid utilization rate, its low-income utilization rate, and its provision of obstetric services;

(b) Medicaid Utilization component based on a hospital's inpatient and outpatient services to patients eligible for Medicaid;

(c) Medically indigent component based on a hospital's services to patients eligible for the Medically Indigent program;

(d) State-funds component to hospitals not qualifying for federal Medicaid utilization component payments;

(e) State-funds component to hospitals not qualifying for federal Medically Indigent component payments; and

(f) Intergovernmental fund transfer component.

(8) For the purposes of this section and section 388-87-072, the state plan method described shall mean the hospital-specific ratio calculated as described in the Title XIX state plan.

~~((7))~~ (9) For dates of admission beginning October 1, 1985, payment rates established in accordance with subsections (2), ~~((4) and)~~ (5), and (6) of this section are reduced for services provided to persons eligible for the medically indigent component of the limited casualty program and recipients of medical care services. Hospitals are grouped according to the percentage of total rate setting revenue comprising medical assistance, medicare, bad debt, charity, and other contractual adjustments and rates are reduced according to the following table.

Hospital Group	Percent Medicare, Medicaid, Bad Debt, Charity and other Contractual Adjustments of Total Rate Setting Revenue	Percentage Reduction in Payment Rate
1	60.00 or more*	20.0
2	50.00 - 59.99	40.0
3	less than 50.00	60.0

\*Plus psychiatric hospitals

**AMENDATORY SECTION** (Amending Order 3161, filed 4/23/91, effective 5/24/91)

WAC 388-87-072 PAYMENT—HOSPITAL OUTPATIENT SERVICES. (1) For eligible recipients, the department shall reimburse for medically necessary hospital outpatient services when the services are medically necessary as defined under WAC 388-80-005, and the hospital provider meets the requirements under WAC 388-87-070(1).

(2) For hospital outpatient services provided prior to July 1, 1985, except for nonallowable revenue codes, reimbursement shall be determined by ~~((the application of))~~ applying the ~~((ratio of))~~ hospital commission approved operating expenses ratio and total rate setting revenue.

(3) For hospital outpatient services, except for services in subsection (4) of this section and nonallowable revenue codes, provided from July 1, 1985, to ~~((March +))~~ June 30, 1991, reimbursement payment shall be determined by ~~((the application of))~~ applying the ~~((ratio of))~~ hospital commission operating expenses ratio and total rate setting revenue.

(4) For hospital outpatient services provided on or after July 1, 1991, reimbursement shall be the hospital ratio of cost to charge (RCC), determined from the hospital specific HCFA 2552 Medicare Cost Report, then reduced for the average charge level inflation over the Data Research Incorporated HCFA Market Basket inflation index.

(5) For hospital outpatient laboratory, x-ray, and allowable therapy (physical, speech, and hearing) services, payment shall be the lesser of billed charges or the fee listed in the ((Division of)) Medical Assistance Administration Schedule of Maximum Allowances.

**WSR 91-18-051  
EMERGENCY RULES  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES  
(Institutions)**

[Order 3239—Filed August 30, 1991, 2:24 p.m., effective September 1, 1991, 12:01 a.m.]

Date of Adoption: August 30, 1991.

Purpose: The purpose of this rule is to revise the schedule of charges for the state operated mental health

facilities. The charges are based on the cost of operations. Costs rise each year due to staff compensation increases authorized by the legislature and due to inflation. Increased rates result in additional revenue to the state to cover the rise in costs of operations.

Citation of Existing Rules Affected by this Order: Amending WAC 275-16-030 Schedule of charges.

Statutory Authority for Adoption: RCW 43.20B.335.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: To comply with RCW 43.20B.325 and the state Medicaid plan, which requires charges for hospitalization of patients in state operated mental health facilities be based on the cost of operation.

Effective Date of Rule: September 1, 1991, 12:01 a.m.

August 30, 1991

Leslie F. James, Director  
Administrative Services

**AMENDATORY SECTION** (Amending Order 3155, filed 3/26/91, effective 4/26/91)

**WAC 275-16-030 SCHEDULE OF CHARGES.** Under RCW 43.20B.325, the department shall base hospitalization charges for patients in state hospitals on the actual operating costs of such hospitals (~~for the previous year~~). The department shall require patient's hospitalization charges ((are)) due and payable on or before the tenth day of each calendar month for services rendered to department patients ((of the department)) during the preceding month, based upon the following schedule:

(1) COSTING AND BILLING RATES

	Western State Hospital	Child Study and Treatment Center	Eastern State Hospital
--	------------------------	----------------------------------	------------------------

(a) INPATIENT SERVICES -

Hospital Costs Per Day	<del>\$(224.00)</del>	<del>288.23</del>	<del>228.49</del>
	243.84	320.00	251.17
Physician Costs	*	15.56	*
<del>((Clozapine Costs Per Week))</del>	<del>172.00</del>		<del>172.00</del>

\*The department shall bill the client for physician costs on a fee-for-service basis.

(b) OUTPATIENT SERVICES -

Per diem

Outpatient Day Care Per Day	—	<del>((89.30))</del>	—
		80.48	
Per Hour	—	<del>((15.92))</del>	—
		11.50	

(c) ANCILLARY SERVICES -

Per relative value unit <sup>1/</sup>

Radiology	<del>((4.20))</del>	<del>4.20</del>	<del>5.90</del>
	4.91	4.91	7.70
Pathology	<del>((-.31))</del>	<del>.31</del>	<del>.29</del>
	.42	.42	.31

	Western State Hospital	Child Study and Treatment Center	Eastern State Hospital
Medical Clinics	<del>((1.78))</del>	<del>1.78</del>	<del>7.31</del>
	1.89	1.89	8.66
Electroencephalogram	<del>((1.09))</del>	<del>1.09</del>	<del>1.09</del>
	.93	.93	.93
Electrocardiogram	.18	.18	<del>((.62))</del>
			.52
Physical Therapy	<del>((5.06))</del>	<del>5.06</del>	<del>12.05</del>
	5.74	5.74	12.91
Occupational Therapy	—	—	<del>((26.89))</del>
			28.01
Speech Therapy	—	—	<del>((16.68))</del>
			23.51
Dental	<del>((29.46))</del>	<del>29.60</del>	<del>40.60</del>
	36.25	36.25	42.98
Podiatry	1.28	1.28	1.00

(d) RESIDENTIAL SERVICES -

Costs Per Day	Pals	Portal
	133.22	83.70

(2) The department shall purchase services required by the patient, not provided by hospital staff, from private sources and the patient shall be charged actual cost of services.

<sup>1/</sup>California Medical Association. Relative Value Studies. Fifth edition. San Francisco: 693 Sutter Publication, Inc., 1969, 135 pp.

**WSR 91-18-052**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Order 3240—Filed August 30, 1991, 2:25 p.m., effective September 1, 1991, 12:01 a.m.]

Date of Adoption: August 30, 1991.

Purpose: To incorporate into the rules changes in the hospital payment process for the medically indigent.

Citation of Existing Rules Affected by this Order: Amending WAC 388-87-070 and 388-87-072.

Statutory Authority for Adoption: RCW 74.08.090.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: To establish current rules for paying hospitals for the medically indigent clients.

Effective Date of Rule: September 1, 1991, 12:01 a.m.

August 30, 1991  
Leslie F. James, Director  
Administrative Services

**AMENDATORY SECTION** (Amending Order 3161, filed 4/23/91, effective 5/24/91)

WAC 388-87-070 PAYMENT—HOSPITAL INPATIENT SERVICES. (1) For eligible recipients, the

department shall pay for inpatient hospital services when:

(a) The eligible recipient is a patient in a general hospital when ~~((such))~~ the hospital meets the current criteria ~~((as))~~ defined in RCW 70.41.020, or as ~~((now or hereafter))~~ amended in the future;

(b) The services are medically necessary as defined under WAC 388-80-005;

(c) Effective with the 1990 annual cost reporting period, in-state and border hospital providers ~~((shall))~~ annually:

(i) Submit a copy of their annual Medicare HCFA 2552 cost report, except as described under item (1)(c)(ii) of this section:

(A) According to the applicable Medicare statutes, regulation, and instructions;

(B) Within one-hundred twenty days from the end of the hospital's fiscal year, or

(C) If the hospital provider's contract is terminated, within one-hundred twenty days of the effective termination date.

(ii) Request up to a thirty-day extension of the time for submitting the cost report in writing at least ten days prior to the report due date ~~((of the report))~~. The extension request shall contain:

(A) The report's completion date ~~((of the report))~~; and

(B) The circumstances prohibiting compliance with the report due date.

(iii) Maintain~~((s))~~ adequate records for:

(A) Audit and review purposes; and

(B) Assurance of cost report accuracy ~~((of cost report))~~.

~~((d))~~ (2) If the hospital provider improperly completes a cost report or the cost report is received after the due date or approved extension dates, the department may hold all or part of the payment due ~~((may be held by the department))~~ until the department receives the properly completed or late report.

~~((e))~~ (3) The department shall determine payment for hospital inpatient services according to a diagnosis related group (DRG) based formula payment system established by the department, except for hospitals participating in the selective contracting program as described under WAC 388-86-051 and services excluded from DRG-based reimbursement as prescribed in subsection ~~((f))~~(5) of this section. The department shall base formula price payments on the methodology prescribed in the department's state plan under Title XIX of the Social Security Act, Methods and Standards Used for Establishing Payment Rates for Hospital Inpatient Services (hereafter referred to as the Title XIX state plan).

~~((f))~~ (4) The all inclusive-conversion factor of selective contracting hospitals for inpatient hospital services is identified in Appendix B of such selective contracts. The rate shall be inclusive of all inpatient services ~~((provided))~~ the contractor provides directly or indirectly ~~((by the contractor))~~ and constitutes the department's maximum financial obligation under the contract.

~~((g))~~ (5) Certain services are excluded from the DRG-based payment system. These exclusions shall include:

(a) Rehabilitation services provided in department-approved rehabilitation hospitals and general hospital distinct units, and services for physical medicine and rehabilitation (PM&R) patient;

(b) Pain treatment provided in department-approved pain treatment facilities;

(c) Free standing psychiatric hospitals;

(d) Alcoholism treatment and detoxification provided in a department-approved alcohol treatment center (ATC);

(e) Detoxification, medical stabilization, and drug treatment for the pregnant Medicaid recipient at the division of alcoholism and substance abuse certified hospitals;

(f) Neonates, DRGs 385-389;

(g) Long-term hospital level care services;

(h) Services provided to patients occupying beds utilized by the Fred Hutchinson Cancer Research Center bone marrow transplant program;

(i) Health maintenance organization (HMO) hospitals providing inpatient services to HMO enrollees; and

(j) Department-approved services to AIDS patients.

~~((5))~~ (6) The department shall pay for non-DRG-based services based on the payment methodology as prescribed in the department's Title XIX state plan. For out-of-state hospitals, the department shall apply the Washington state-wide weighted average method to allowable charges. Border area hospitals shall be paid in the same manner as in-state hospitals.

~~((6))~~ (7) Disproportionate share payment may contain one or more of the following components:

(a) Low-income component based on a hospital's Medicaid utilization rate, its low-income utilization rate, and its provision of obstetric services;

(b) Medicaid Utilization component based on a hospital's inpatient and outpatient services to patients eligible for Medicaid;

(c) Medically indigent component based on a hospital's services to patients eligible for the Medically Indigent program;

(d) State-funds component to hospitals not qualifying for federal Medicaid utilization component payments;

(e) State-funds component to hospitals not qualifying for federal Medically Indigent component payments; and

(f) Intergovernmental fund transfer component.

(8) For the purposes of this section and section 388-87-072, the state plan method described shall mean the hospital-specific ratio calculated as described in the Title XIX state plan.

~~((7))~~ (9) For dates of admission beginning October 1, 1985, payment rates established in accordance with subsections (2), ~~((4) and)~~ (5), and (6) of this section are reduced for services provided to persons eligible for the medically indigent component of the limited casualty program and recipients of medical care services. Hospitals are grouped according to the percentage of total rate setting revenue comprising medical assistance, medicare, bad debt, charity, and other contractual adjustments and rates are reduced according to the following table.

Hospital Group	Percent Medicare, Medicaid, Bad Debt, Charity and other Contractual Adjustments of Total Rate Setting Revenue	Percentage Reduction in Payment Rate
1	60.00 or more*	20.0
2	50.00 - 59.99	40.0
3	less than 50.00	60.0

\*Plus psychiatric hospitals

**AMENDATORY SECTION (Amending Order 3161, filed 4/23/91, effective 5/24/91)**

**WAC 388-87-072 PAYMENT—HOSPITAL OUTPATIENT SERVICES.** (1) For eligible recipients, the department shall reimburse for medically necessary hospital outpatient services when the services are medically necessary as defined under WAC 388-80-005, and the hospital provider meets the requirements under WAC 388-87-070(1).

(2) For hospital outpatient services provided prior to July 1, 1985, except for nonallowable revenue codes, reimbursement shall be determined by ~~((the application of))~~ applying the ((ratio of)) hospital commission approved operating expenses ratio and total rate setting revenue.

(3) For hospital outpatient services, except for services in subsection (4) of this section and nonallowable revenue codes, provided from July 1, 1985, to ~~((March 1))~~ June 30, 1991, reimbursement payment shall be determined by ~~((the application of))~~ applying the ((ratio of)) hospital commission operating expenses ratio and total rate setting revenue.

(4) For hospital outpatient services provided on or after July 1, 1991, reimbursement shall be the hospital ratio of cost to charge (RCC), determined from the hospital specific HCFA 2552 Medicare Cost Report, then reduced for the average charge level inflation over the Data Research Incorporated HCFA Market Basket inflation index.

(5) For hospital outpatient laboratory, x-ray, and allowable therapy (physical, speech, and hearing) services, payment shall be the lesser of billed charges or the fee listed in the ~~((Division of))~~ Medical Assistance Administration Schedule of Maximum Allowances.

**WSR 91-18-053  
EMERGENCY RULES  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES  
(Public Assistance)**

[Order 3241—Filed August 30, 1991, 2:26 p.m., effective September 1, 1991, 12:01 a.m.]

Date of Adoption: August 30, 1991.

Purpose: To remove inconsistent sections from existing regulations.

Citation of Existing Rules Affected by this Order: Amending chapter 388-11 WAC, Child support—Obligations.

Statutory Authority for Adoption: RCW 74.08.090.

Other Authority: Chapter 367, Laws of 1991 and chapter 28, Laws of 1991 1st sp. sess.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Avoid problems associated with existing regulations conflicting with new law taking effect September 1, 1991.

Effective Date of Rule: September 1, 1991, 12:01 a.m.  
August 30, 1991

Leslie F. James, Director  
Administrative Services

**AMENDATORY SECTION (Amending Order 2689, filed 8/30/88)**

**WAC 388-11-055 PETITION FOR HEARING AFTER TWENTY DAYS—STAY.** (1) ~~The responsible parent may, at any time((, upon a showing of good cause for the failure to make a timely request for hearing)), petition the secretary or the secretary's designee for a late hearing. ((The petition shall state the grounds alleged by the responsible parent to constitute good cause for the failure to make a timely request for hearing.))~~

(2) A copy of the petition shall also be served by certified mail, return receipt requested, or like a summons in a civil action on the district office of the office of support enforcement.

(3) The filing of a petition for a late hearing shall not stay any collection action being taken under chapter 74.20A RCW.

~~((4) The granting of a request for a hearing under subsection (1) above shall operate as a stay on any action to collect moneys due under the original notice.~~

(5) A hearing under this section shall be scheduled to consider:

- ~~(a) Whether good cause exists to grant a hearing;~~
- ~~(b) Setting of temporary current and future support;~~
- ~~(c) Settlement of any or all of the issues; and~~
- ~~(d) Such other matters as may aid in disposition of the proceeding.~~

~~(6) The office of support enforcement may petition for temporary current and future support any time prior to the final decision. The administrative law judge shall, in writing, order payment of temporary, current and future support in an amount determined under WAC 388-11-205.~~

~~(a) Payment shall be ordered to be paid beginning with the month in which the petition for a late hearing is granted.~~

~~(b) In the event the responsible parent does not make payment of the temporary current and future support as ordered, the office of support enforcement may take collection action pursuant to chapters 26.23 and 74.20A RCW during the pendency of the hearing or thereafter to collect any amounts owing under the temporary order.~~

~~(7) Moneys withheld as a result of collection action in effect at the time of granting of the request for the~~



~~hearing shall be delivered to and held by the office of support enforcement pending the final order of the secretary or during the pendency of any appeal to the courts. Temporary current and future support paid, or collected during the pendency of the hearing or appeal shall be disbursed when received by the office of support enforcement.~~

~~(8) If the final decision of the department or the courts on appeal is that the department has collected an amount from the responsible parent greater than such parents past support debt, other than temporary current and future support, such excess shall promptly be refunded to such parent.)~~

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

**AMENDATORY SECTION** (Amending Order 2689, filed 8/30/88)

**WAC 388-11-140 MODIFICATION.** (1) A responsible parent whose support obligation has been administratively established or the office of support enforcement may request a hearing to prospectively modify the parent's obligation ~~((if circumstances have materially changed. The request shall be in affidavit form and shall state:~~

~~(a) The circumstances that have changed, and  
(b) The amount of support the circumstances now warrant)).~~

(2) The petitioning party shall serve the request for modification on the responding party like a summons in a civil action or by certified mail, return receipt requested.

~~(3) ((The petitioning party need not show a change of circumstance if the original support obligation was established under WAC 388-11-050.~~

~~(4)) If the responding party fails to appear at the hearing, the administrative law judge shall issue a default order based on the terms set out in the request for modification. If the petitioning party fails to appear at the hearing, the administrative law judge shall enter an order dismissing the request for modification.~~

~~((5)) (4) The administrative law judge may set the effective date of modification as the date the order is issued, the date the request was made, or any time in between. If no effective date is set, the effective date shall be the date the modification order is entered.~~

**AMENDATORY SECTION** (Amending Order 3081, filed 9/28/90, effective 10/29/90)

**WAC 388-11-200 FINANCIAL WORKSHEET CALCULATIONS.** (1) A responsible parent and any residential parent shall complete a financial worksheet under penalty of perjury when an adjudicative proceeding has been requested or when support is determined by consent order or agreed settlement. The office of support enforcement (OSE) and the presiding or review officer in an adjudicative proceeding under this chapter shall only accept approved worksheets under chapter 26.19 RCW.

The OSE may complete a worksheet on behalf of a residential parent receiving public assistance or residing in another state.

~~((2) A parent shall include as gross income money from any source, including, but not limited to:~~

- ~~(a) Salaries;~~
- ~~(b) Wages;~~
- ~~(c) Commissions;~~
- ~~(d) Bonuses;~~
- ~~(e) Deferred compensation;~~
- ~~(f) Overtime;~~
- ~~(g) Dividends;~~
- ~~(h) Interest;~~
- ~~(i) Trust income;~~
- ~~(j) Severance pay;~~
- ~~(k) Annuities;~~
- ~~(l) Capital gains;~~
- ~~(m) Social security benefits;~~
- ~~(n) Worker's compensation;~~
- ~~(o) Unemployment compensation;~~
- ~~(p) Disability insurance benefits;~~
- ~~(q) Gifts; and~~
- ~~(r) Prizes.~~

~~(3) A parent shall disclose the receipt of AFDC, SSI, general assistance, and food stamps, but these benefits shall not be counted as income or used as a reason for deviation from the economic table.~~

~~(4) A parent shall deduct only income taxes, FICA, mandatory pension plan payments, mandatory union/professional dues, nonrecurring overtime/bonus income, and nonrecurring gifts and prizes from gross income. A self-employed parent shall deduct normal business expenses and self-employment taxes.~~

~~(5) OSE and the presiding or review officer shall impute income to a parent voluntarily unemployed or underemployed as follows:~~

~~(a) For a parent who quit the parent's last job without cause, was fired for cause, or chooses not to work, impute income equal to the amount of the parent's last full-time wage;~~

~~(b) For a parent voluntarily working less than full-time, impute income equal to the amount the parent would earn if working full-time at the parent's present job. Do not consider the parent underemployed if employed on a full-time basis;~~

~~(c) For a parent unemployed through no personal fault, impute income equal to the parent's earning potential. Presume a parent capable of full-time employment at the minimum wage;~~

~~(d) Impute no income to a residential parent receiving public assistance if the parent complies with all assistance program job search, education, or training requirements. Presume a residential parent receiving public assistance in compliance with the requirements of the program;~~

~~(e) Impute no income to an unemployable parent. Lack of employment opportunities alone shall not render a parent unemployable.~~

~~(6) If a parent's actual income is unknown and there is insufficient information to impute income, OSE and~~

~~the presiding or review officer shall apply the approximate median net income chart published in the Washington state child support schedule.))~~

**AMENDATORY SECTION** (Amending Order 3081, filed 9/28/90, effective 10/29/90)

**WAC 388-11-205 ASSESSING SUPPORT.** (1) ~~((The office of support enforcement (OSE) and the presiding or review officer in an adjudicative proceeding under this chapter shall determine the net income of a responsible parent and any residential parent according to WAC 388-11-200.~~

~~(2))~~ OSE and the presiding or review officer shall determine the basic support obligation:

(a) Based on the combined net incomes of a responsible parent and any residential parent, rounded to the nearest one hundred dollars;

(b) For each child, according to the economic table and the total number of children on whose behalf support is sought;

(c) In total; and

(d) Allocate between the parents based on each parent's share of the total combined net income.

~~((3))~~ (2) OSE and the presiding or review officer shall adjust a responsible parent's share of the basic support obligation to reflect circumstances in the parent's household and the household of any residential parent. OSE and the presiding or review officer may, their discretion, deviate from the amount of child support calculated using the standard calculation. No deviation from the standard may be made without specific reasons for these deviations set forth in the order and supported by the evidence. ~~((Reasons for deviation include:~~

~~(a) The existence of another dependent child for whom a responsible or residential parent has a duty to support;~~

~~(b) The existence of another adult in the household of the responsible or residential parent;~~

~~(c) Recurrent income received by the child on whose behalf support is sought;~~

~~(d) Extraordinary debt, not voluntarily incurred by the responsible or residential parent;~~

~~(e) Wealth of the responsible or residential parent;~~

~~(f) Unavoidable living costs exceeding twice the need standard of WAC 388-29-100 for the responsible or residential parent;~~

~~(g) Any other unusual circumstances existing for the responsible or residential parent.~~

~~(4))~~ (3) If requested, OSE and the presiding or review officer shall:

(a) Assess responsibility for known health care, day care, and special child rearing expenses under the Washington state child support schedule, worksheet A, part II;

(b) Apportion responsibility for unknown and or future health care, day care, and special child-rearing expenses between the parents in the same proportion as the basic support obligation; and

(c) Assess responsibility for birth costs under WAC 388-11-220(5).

~~((5))~~ (4) A responsible parent's total support obligation shall consist of:

(a) The responsible parent's adjusted share of the basic support obligation;

(b) Amounts the responsible parent is obligated to pay for health insurance; and

(c) Amounts the responsible parent is obligated to pay for special child-rearing expenses.

~~((6))~~ (5) A responsible parent shall pay health insurance premiums directly to the responsible parent's insurance provider. The responsible parent shall pay all other amounts, including amounts currently paid to third parties for special child-rearing expenses, to OSE.

~~((7) A responsible parent's total administrative support obligation shall not exceed fifty percent of the responsible parent's net income unless the presiding officer finds the fifty percent limitation shall not apply because:~~

~~(a) The responsible parent has wealth;~~

~~(b) A child on whose behalf support is sought has special medical or educational needs;~~

~~(c) The department assesses support for five or more children; or~~

~~(d) There are special child-rearing expenses.~~

~~(8) When the parents' combined monthly net income exceeds the highest level in the economic table, set support at the schedule amount for that income level plus any additional amount supported by written findings of fact.~~

~~(9))~~ (6) In cases where the department is assessing a child support debt for a dependent child placed in foster care or living with a non-needy relative, calculate the support obligation using the child support schedule as follows:

(a) Combine the net income of both parents in the "father" column on the worksheet and attribute no income in the "mother" column when the responsible parents reside together;

(b) Calculate each parent's support obligation independently and attribute no income to the other parent when the responsible parents do not reside together; and

(c) Assess support only for the child named in the notice.

**AMENDATORY SECTION** (Amending Order 3081, filed 9/29/90, effective 10/29/90)

**WAC 388-11-210 ADMINISTRATIVE ORDERS.** Every administrative order shall include the:

(1) Responsible parent's and residential parent's net income;

(2) Amount of the responsible parent's share of the basic support obligation without adjustments;

(3) Amount of the responsible parent's share of the basic support obligation after adjustments;

(4) Specific reasons for deviation, if the adjusted amount is different than the unadjusted amount;

(5) Total amount of the responsible parent's support obligation;

(6) Specific day of the month on which the support payment is due;

(7) Responsible parent's Social Security number, residence address, and the name of the responsible parent's employer;

- (8) Residential parent's Social Security number;
- (9) Names, birthdates, and Social Security numbers, if any, of the dependent child;
- (10) Disposition of the responsible parent's obligation to provide health insurance under WAC 388-11-215;
- (11) Statement that the responsible parent shall make the responsible parent's payment to the Washington state support registry;
- (12) ~~((Statement that the department may issue a notice of payroll deduction under chapter 26.23 RCW or may take other income withholding action under chapters 26.18 or 74.20A RCW at any time, without further notice to the responsible parent;~~
- ~~((13)))~~ Statement that each parent shall notify the Washington state support registry of a change in resident address;
- ~~((14)))~~ (13) Statement that a support obligation established under this chapter shall continue until:
  - (a) Modified under WAC 388-11-140;
  - (b) Superseded by a superior court order, or
  - (c) The child for whom support is assessed reaches the age of majority or is emancipated; and
- ~~((15)))~~ (14) Statement that the responsible parent is liable for the following costs based on the parent's proportionate share of the basic support obligation, if these costs are known when the order is entered:
  - (a) Health care costs, including extraordinary health care costs, not covered by health insurance;
  - (b) Day care expenses; and
  - (c) Approved special child rearing expenses.

**WSR 91-18-054**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**GENERAL ADMINISTRATION**  
**(Division of Banking)**  
 [Filed August 30, 1991, 2:29 p.m.]

Date of Adoption: August 30, 1991.

Purpose: To revise the procedure and rates used by the Division of Banking to collect revenues for the proper operation of the examination and supervision functions of the division.

Citation of Existing Rules Affected by this Order: Amending chapter 50-44 WAC et. seq.

Statutory Authority for Adoption: RCW 30.04.070 and 30.08.095.

Pursuant to notice filed as WSR 91-15-102 on July 24, 1991.

Changes Other than Editing from Proposed to Adopted Version: Based on the only comments received during the formal comment period and at the hearing, the sunset provision concerning the rebate process in WAC 50-44-050(7) was changed to two years.

Effective Date of Rule: Thirty-one days after filing.

August 30, 1991  
 Thomas H. Oldfield  
 Supervisor of Banking

**NEW SECTION**

**WAC 50-44-005 DETERMINATION OF COLLECTION METHOD—PRINCIPLES.** When determining a revision to the collection method, the supervisor shall consider but not be limited to the following principles.

- (1) The revenue to be collected shall be sufficient to allow the division of banking to achieve its statutory mission to examine institutions within all required time periods.
- (2) Regulatory costs shall be apportioned in a manner consistent with the state of Washington's overall policy commitments to rural and economically distressed areas, promoting the delivery of financial services to those areas.
- (3) No industry or institution shall bear a disproportionate share of regulatory costs.
- (4) There shall be a significant correlation between assessments and examination costs across institutions.
- (5) The division of banking shall have sufficient resources to maintain a competent and motivated staff.
- (6) Such other principles as the supervisor may deem relevant.

**AMENDATORY SECTION (Amending WSR 90-12-007, filed 5/25/90, effective 6/25/90)**

**WAC 50-44-020 SEMIANNUAL ASSET CHARGE—ASSESSMENT.** A semiannual charge for assets will be used to recoup nondirect bank examination related expenses (RCW 30.08.095). The semiannual charge for assets will be computed upon the asset value reflected in the most recent report of condition. The rate of such charge shall be as set forth in the following schedules:

(1) Commercial banks, mutual savings banks, and stock savings banks.

The rate of such charge shall be based on the total asset value as reflected in the report of condition due for that period provided, the supervisor may adjust such rates if the supervisor determines that a disproportionate amount of revenue is being collected by such rate.

If the bank's total assets are:                      The assessment is:

Over	But not Over	This Amount	Plus	Of Excess Over
Million	Million			Million
((0	10	\$ 25	0	0
10	20	50	0	10
20	30	75	0	20
30	40	100	0	30
40	60	100	.00000625	40
60	100	375	.000006875	60
100	150	650	.000007	100
150	200	1000	.000005	150
200	350	1250	.000025	200
350	500	5000	.00000833	350
500	750	6250	.000002	500
750	1000	6750	.00001	750
1000	—	9250	.00001065	1,000))
0	500	0	.00001408	0
500	1000	7040	.0000135	500
1000	—	13,790	.0000133	1000

(2) Alien banks.

((If the bank's total assets are: ~~The~~ assessment is:))

The rate of such charge shall be .000035189 of the total asset value as reflected in the report of condition due for that period provided, the supervisor may adjust such rate if the supervisor determines that a disproportionate amount of revenue is being collected by such rate.

((

Over	But not Over	This Amount	Plus	Of Excess Over
Million	Million			Million
0	50	100	.00005	0
50	100	2,600	.00007	50
100	500	6,100	.00004	100
500	750	22,100	.000035	500
750	1,000	30,850	.00003	750
1,000		38,350	.000025	1,000))

(3) Industrial loan companies and, effective January 1, 1992, consumer finance licensees under chapter 208, Laws of 1991.

((If the total assets on a consolidated basis are: ~~The~~ assessment is:))

The rate of such charge shall be .000084896 of the total asset value as reflected in the consolidated annual report of Washington assets or semiannual notice of assessment of Washington assets (whichever is applicable) due for that period provided, the supervisor may adjust such rate if the supervisor determines that a disproportionate amount of revenue is being collected by such rate.

((

Over	But not Over	This Amount	Plus	Of Excess Over
Million	Million			Million
0	1	\$ 250		
1		250	.000075	1))

The supervisor's office shall forward by United States mail a notice to each financial institution showing the manner of calculating the asset charge due and a worksheet for such purposes. The notices shall be mailed with the blank June and December report of condition commencing with the June 1990 report of condition applicable to commercial, savings and alien banks and the consolidated annual report and a semiannual notice of assessment applicable to industrial loan companies. The asset charge shall be calculated by the financial institution and forwarded to the office of the supervisor of banking with the applicable report. A completed copy of the worksheet shall be included with the assessment. An additional two hundred dollar penalty shall be assessed if the amount is not paid ((within the time specified)) by the time such report of condition or notice of assessment is due.

AMENDATORY SECTION (Amending WSR 90-12-007, filed 5/25/90, effective 6/25/90)

WAC 50-44-030 HOURLY FEES AND CHARGES—REGULAR, INCLUDING EXTRAORDINARY EXAMINATION AND SPECIAL EXAMINATIONS. Each bank, mutual savings bank, trust company, alien bank, or industrial loan company shall pay to the supervisor the following fees:

(1) For regular examinations, including extraordinary examinations for the express purpose of examining unusual conditions or circumstances, including extensions of regular examinations wherein conditions may warrant extension of time required in the examination beyond normal allotted time and such other reviews as determined by the supervisor; ((forty-five)) sixty-five dollars per hour. The supervisor may charge the actual cost of examinations performed under personal service contracts by third parties.

(2) For electronic data processing examination, trust examination, or other examination requiring specialized expertise, ((fifty-five)) ninety dollars per hour. Electronic data processing centers and trust companies are exempt from the asset assessment provisions of WAC 50-44-020(1) if such centers or companies are not a part of the assets of the bank as reported in the report of condition.

(3) The supervisor shall submit a statement for the foregoing charges following the completion of any applicable examination, and the charges shall be paid not later than thirty days after submission of such statement.

(4) These charges shall become effective for invoicing that occurs after the effective date of this rule, provided such invoicing relates to examinations occurring on or after July 1, 1991.

AMENDATORY SECTION (Amending WSR 90-12-007, filed 5/25/90, effective 6/25/90)

WAC 50-44-050 LIMITATIONS ON ASSESSMENTS. (1) Definitions. For purposes of this provision, the following terms, or the plural thereof, shall have the meaning ascribed.

(a) "Rural community" is a community of population less than ten thousand inhabitants located in a county without a metropolitan sampling area ("MSA"), as established by the United States Office of Management and Budget.

(b) "Economically distressed area" is a county with an unemployment rate that is twenty percent above the state-wide average for the previous three years; or a community that has experienced sudden and severe or long-term and severe loss of employment, or erosion of its economic base due to decline of its dominant industries; or an area within a county which area:

(i) Is composed of contiguous census tracts;

(ii) Has a minimum population of five thousand persons;

(iii) Has at least seventy percent of its families and unrelated individuals with incomes below eighty percent of the county's median income for families and unrelated individuals; and

(iv) Has an unemployment rate which is at least forty percent higher than the county's unemployment rate.

(c) "Located" means the institution's primary market area where at least sixty percent of the institution's deposits are booked.

(2) Limit on assessment. If an institution is located in a rural community or economically distressed area, and if the charges assessed under WAC 50-44-020(1) relating to a semiannual asset charge ((im)) and WAC 50-44-030(1) relating to the hourly examination fee, ((shall not)) exceed ((eighty)) ninety-five percent of the assessment charge applicable for a two-year period of the Office of the Comptroller of the Currency ("OCC") or its successor then the assessments paid in excess of such amount shall be rebated to the institution pursuant to subsection (5) of this section unless abated by the supervisor as provided in subsection (6) of this section.

((2)) (3) Determination. For purposes of determining rebate entitlement, the total of semiannual assessments and examination fees are determined by adding the monthly average semiannual assessment and the monthly average of the examination fees for any twenty-four month period after June 1, 1990. The monthly average is determined by dividing the semiannual assessment fee by six and applying the monthly average to the previous six months. The monthly average examination fee is determined by dividing the examination fee for each examination during the averaging period by the number of months between each such examination and the previous examination as determined by the date of the examinations and applying the monthly average to those months. The OCC charge is determined in the same manner.

((3)) (4) Rebate. The rebate is determined by the difference between the sum of the applicable monthly average state charges for the twenty-four month period minus ((eighty)) ninety-five percent of the sum of the applicable monthly average OCC charge for the same period, as each are determined in subsection ((2)) (3) of this section. The total amounts of all rebates shall not exceed three-quarters of one percent of the current biennium budget.

((4)) (5) Petition. Entitlement of the rebate shall occur only upon petition and proof to the supervisor during the first month of the last quarter of the current biennium.

((5)) (6) Rebate abatement. At the discretion of the supervisor, all or part of the rebate determined under subsection (4) of this section may be denied if the supervisor determines that:

(a) The institution required a substantially greater than average amount of supervisory time for reasons other than as a result of economic, legal, regulatory, or other conditions beyond the control of competent management;

(b) The institution required a substantially greater than average amount of examination time for an institution of its size for reasons other than as a result of economic, legal, regulatory, or other conditions beyond the control of competent management;

(c) Examinations or investigations were performed by third parties under personal services contracts; or

(d) Such other factors as the supervisor may deem equitable or relevant.

(7) Institutions may become eligible to receive a rebate((s shall become eligible)) on ((June 1, 1992,)) or after April 1, 1993, for amounts paid on or after the 1991-1993 biennium and such eligibility shall continue for ((six)) two years thereafter.

#### NEW SECTION

**WAC 50-44-060 BANKING FUND—MINIMUM CASH BALANCE.** The supervisor shall maintain a minimum cash balance in the banking fund (RCW 43.19.095) of at least one month's allotment. One month's allotment is based upon the current biennium budget divided by twenty-four months. In the event the banking fund balance drops below this figure the supervisor shall declare the next semiannual asset assessment due; payment within thirty days of such declaration. The supervisor shall bill each institution based on the most current report of condition and payment shall be in lieu of the next regularly scheduled asset assessment.

**WSR 91-18-055  
PERMANENT RULES  
DEPARTMENT OF  
GENERAL ADMINISTRATION  
(Division of Banking)**

[Filed August 30, 1991, 2:30 p.m.]

Date of Adoption: August 30, 1991.

Purpose: To revise the rates used by the Division of Banking to collect revenues for the processing and investigation of applications received by the division, and other incidental services.

Citation of Existing Rules Affected by this Order: Amending WAC 50-12-045.

Statutory Authority for Adoption: RCW 30.08.095.

Pursuant to notice filed as WSR 91-15-101 on July 24, 1991.

Effective Date of Rule: Thirty-one days after filing.

August 30, 1991

Thomas H. Oldfield  
Supervisor of Banking

#### AMENDATORY SECTION (Amending WSR 90-12-008, filed 5/25/90, effective 6/25/90)

**WAC 50-12-045 SCHEDULE OF FEES FOR BANKS, TRUST COMPANIES, STOCK SAVINGS BANKS, MUTUAL SAVINGS BANKS, AND ALIEN BANKS.** (1) The supervisor shall collect the following fees:

(a) Hourly charges for services plus actual expenses for review of application and attendant investigation for:

(i) New bank or trust company;

(ii) Conversion to a state chartered institution;

(iii) Alien bank to establish and operate an office or bureau in the state;

(iv) Certificate conferring trust powers;

(v) Branch;

(vi) A satellite facility or facilities which are to be used by its own customers or customers of another bank;

(vii) A network system of satellite facilities as defined in WAC 50-40-010(4) or modification of a previously approved network system made in accordance with WAC 50-40-060 (1) or (2);

(viii) Merger, consolidation, or reorganizational agreement;

(ix) Relocation of main office or branch;

(x) An out-of-state bank holding company acquisition and control of more than five percent of the shares of voting stock 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;

(xi) The purchase or sale of a branch;

(xii) Voluntary or involuntary liquidation of a bank or trust company pursuant to chapter 30.44 RCW or for acting as conservator of a bank or trust company pursuant to chapter 30.46 RCW;

(xiii) Conversion from a mutual savings bank to a stock savings bank;

(xiv) Notice of change of control.

(b) Hourly charges for opinions rendered regarding interpretations of statutes and rules.

(c) \$100.00 for issuing the following certificates:

(i) Branch certificate;

(ii) Increase or decrease of capital stock certificate;

(iii) Certificate of authority;

(iv) Satellite facility;

(v) Certificate of good standing;

(vi) Other.

(d) \$100.00 for filing articles of incorporation, or amendments thereof, or other certificates required to be filed with the supervisor.

(e) Fifty cents per page for furnishing copies of papers filed with the supervisor.

(2) The hourly fee for services shall be (~~(\$65.00)~~) \$90.00 per employee hour expended. The supervisor may require a lump sum payment in advance to cover the anticipated cost of review and investigation of the activities described in subsection (1)(a) and (b) of this section. In no event shall the lump sum payment required under this section exceed actual amounts derived in subsection (1)(a) and (b) of this section.

**WSR 91-18-056**  
**PROPOSED RULES**  
**DEPARTMENT OF HEALTH**  
 [Filed August 30, 1991, 2:40 p.m.]

**Original Notice.**

Title of Rule: WAC 246-254-001 Purpose and scope; 246-254-010 Definitions; 246-254-020 Payment of fees; 246-254-030 Small business discount provision and optional fee payment schedule applicable to radioactive materials licensees; 246-254-040 Denial, revocation, suspension, and reinstatement; 246-254-050 Method of payment; 246-254-070 Fees for specialized radioactive material licenses; 246-254-080 Fees for medical and

veterinary radioactive material licenses; 246-254-090 Fees for industrial radioactive material licenses; 246-254-100 Fees for laboratory radioactive material, licenses; 246-254-110 Fees for reciprocity; 246-254-120 Fees for licensing and compliance actions; 246-254-140 Fees for uranium, thorium and other mineral processors; 246-254-150 Fees for perpetual care and maintenance; 246-254-160 Fees for airborne emissions of radioactive materials; 246-254-170 Failure by applicant or licensee to pay prescribed fees; 246-254-057 License fees for radioactive materials; 246-254-058 Fees for additional service; 246-254-999 Site use permit fee; and 246-254-053 Radiation machine facility registration fees.

Purpose: Updates fee schedules to cover current program costs; better organizes fees; and edits and clarifies text.

Statutory Authority for Adoption: Chapter 43.70 RCW.

Statute Being Implemented: RCW 43.70.110.

Summary: Fees for radioactive materials licensees, x-ray registrations and uranium mill licensees are increased to fully recover program costs. Editorial and other changes are proposed as housekeeping measures necessary due to the consolidation of Department of Health regulations. Increased fees are needed to cover actual program costs. The consolidated regulations do not include certain essential provisions and contain inappropriate references.

Name of Agency Personnel Responsible for Drafting: Terry C. Frazee, Radioactive Materials Section, 753-3461; Implementation and Enforcement: T. R. Strong, Division of Radiation Protection, 586-8949.

Name of Proponent: [Department of Health], governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The rule adjusts fees to meet actual and anticipated costs of several programs of the Division of Radiation Protection. Fees for radioactive materials licenses are reorganized for better accessibility. The language is clarified to improve readability and references to Department of Social and Health Services and to Title 402 WAC are corrected. The purpose of the rule is to provide necessary revenue to fund radiation protection programs and accomplish housekeeping changes.

Proposal Changes the Following Existing Rules: The proposed rule increases fees for radioactive materials licenses, x-ray registrants, and uranium mill licenses. It breaks one lengthy section on radioactive materials licenses into five smaller, more readable sections and establishes a surcharge for licenses authorizing multiple facilities. A surcharge is also established for mammographic x-ray facilities and the criteria are changed for when a maximum x-ray fee is allowed. The limit on quarterly billing of uranium mill program costs is removed. A penalty for late payment of x-ray fees is added.

Small Business Economic Impact Statement: The Department of Health licenses approximately 430 businesses, institutions, and private practices to possess or use radioactive materials and registers 4800 to use x-ray

machines. Fees to support the regulatory program within the Department of Health are based on the cost of providing the regulatory oversight for each category of use. Licensees and registrants within each fee category may come from a number of different standard industrial classification (SIC) categories. The Regulatory Fairness Act, chapter 19.85 RCW, requires that rules which have an economic impact on more than 20 percent of all industries or more than 10 percent of the businesses in any one industry (as defined by the 3 digit SIC code) be reviewed and altered to minimize their impact on small business. Licensees and registrants constitute far less than 20 percent of all industry in the state; however, approximately one licensee in twenty represents 10 percent or more of the industries in its particular SIC category. A similar situation is believed to be true of x-ray registrants. The rule must be constructed to minimize the impact on small business even though only a few licensees and registrants fall within the scope of the Regulatory Fairness Act. The fees imposed in chapter 246-254 WAC clearly have a direct economic impact on radioactive materials licensees and x-ray registrants. The department has determined that the best way to minimize the impact on small licensees is through a fee discount while small x-ray registrants are protected by charging fees based on the number of x-ray machines registered. Radioactive material license fees are based on the cost of providing health and safety inspections and license reviews for the specific use of the licensed radioactive material. By law, all licensees must meet the same radiation safety requirements. Since the use of radioactive material is frequently only a minor aspect of the business's overall activity, the cost of the license fee per employee shows a disproportionate burden for the small business. For example, the fee for a portable gauge user (proposed to be \$500 per year) would cost \$100 per employee per year in a five employee business versus \$5.00 per employee per year in a 100 employee business. Similarly, the fee for a diagnostic nuclear medicine license (proposed to be \$2220 per year) would cost \$220 per employee per year in a 10 employee clinic versus about \$22 in a 100 employee hospital. To meet the legislative requirement to minimize the proportionately higher burden on small businesses, a small business discount of 25% is authorized in WAC 246-254-030 for any licensee meeting the definition of a small business as set forth in the Regulatory Fairness Act. The small business discount is currently given to approximately one quarter of the department's radioactive materials licensees. On the other hand, x-ray registration fees are based primarily on the number of x-ray machines. This allows the department's cost of inspections to be recovered equitably but at the same time have less impact on the small business. A small business typically will have fewer x-ray machines than a large business and thus will pay a smaller fee. The proposed rule increases the registration fees, adds a surcharge for mammography facilities, and adds a penalty for late payment but retains the basic "per machine" concept to protect small business.

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on October 8, 1991, at 1:00 p.m.

Submit Written Comments to: Leslie Baldwin, 1300 S.E. Quince Street, Mailstop EY-16, Olympia, WA 98504, by October 7, 1991.

Date of Intended Adoption: October 15, 1991.

August 29, 1991

Pam Campbell Mead  
for Kristine M. Gebbie  
Secretary

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-254-001 PURPOSE AND SCOPE. This chapter establishes fees charged for licensing, permitting, registration, and inspection services rendered by the ((office)) division of radiation protection as authorized under ((RCW 70.121.030)) chapters 43.70, 70.98, and 70.121 RCW. These fees apply to owners and operators of radiation generating machines, users of radioactive material, operators of low-level radioactive waste disposal facilities, owners and operators of facilities emitting airborne radioactivity, and owners and operators of certain mineral processing and uranium or thorium milling operations and their associated tailings or waste.

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-254-010 DEFINITIONS. As used in this chapter, the following definitions apply:

(1) "Application" means a completed RHF-1 or equivalent with supporting documentation requesting the department to grant authority to receive, possess, use, transfer, own or acquire radioactive material((s)).

(2) "Compliance inspection" means a routinely scheduled visit to the licensee's facility and/or temporary job site(s) for the purpose of determining compliance with the radioactive material license and applicable regulations. This service is covered by the annual fee for the radioactive material license.

(3) "Department" means the department of ((social and)) health ((services)) which has been designated as the state radiation control agency.

((3)) (4) "Direct staff time" means all work time directly applicable to or associated with a specific radioactive material licensee and includes license file review, inspection preparation, on-site visits, report writing, review and acknowledgement of correspondence, review of license applications, renewals and amendment requests, telephone contacts, and staff or management conferences specifically related to the license. Travel time is not considered direct staff time.

(5) "Emission unit" means the point of release of airborne emissions of radioactive material.

(6) "Environmental cleanup monitoring" means an on-site visit by the department to a licensee's facility or site of operation to determine the status of corrective actions to remove environmental radiation contamination resulting from the licensee's operation. Such a monitoring visit may include, but is not limited to, the review of the licensee's records pertaining to the environmental cleanup, observation of the licensee's cleanup work, sampling by the department for analysis, associated laboratory work, and the analysis of the information collected by the department.

(7) "Facility" means all buildings, structures and operations on one contiguous site.

(8) "Follow-up inspection" means an on-site visit to a licensee's facility to verify that prompt action was taken to correct significant items of noncompliance found by the department in a previous inspection. The first follow-up inspection is covered by the annual fee for the radioactive material license.

(9) "Inspection" means an official examination or observation by the department including but not limited to tests, surveys and monitoring to determine compliance with rules, regulations, orders, requirements and conditions of the department.

((4)) (10) "Investigation" means an on-site visit to a licensee's facility or site of operation when, in the department's judgment, it is required for the purpose of reviewing specific conditions, allegations, or other information regarding unusual conditions, operations, or practices. This service is covered by the annual fee for the radioactive material license.



(11) "License" means a license issued by the department in accordance with the regulations adopted by the department.

~~((5))~~ (12) "New license application" means a request to use radioactive material from a person not currently a licensee or from a current licensee requesting authorization to use radioactive material in a new way such that a change of fee category is required.

(13) "Perpetual care and maintenance" means further maintenance, surveillance or other care of milling or tailings impoundment sites after termination of the site operator's decommissioning responsibilities and license.

(14) "Registration" means registration with the department by any person possessing a source of ionizing radiation in accordance with regulations adopted by the department.

(15) "Sealed source and device evaluation" means a radiological safety evaluation performed by the department on the design, manufacture, and test data of any single sealed source and/or device model for the purpose of registering the sealed source or device with the United States Nuclear Regulatory Commission.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-254-020 PAYMENT OF FEES. ~~((1))~~ Application: Each application shall be accompanied by a remittance in the full amount of the initial application fee. No application will be processed prior to payment of the full amount specified. Applications for which no remittance is received may be returned to the applicant. The applicant shall pay any additional actual costs involved with processing the application, and will be billed on a calendar quarter basis. The initial application fee shall be a credit to the applicant's quarterly billings.

(2) Operations: A charge shall be made to each uranium or thorium milling operation covering the actual expenses incurred by the department in determining compliance with the provisions of established regulations and conditions of the license. The licensee will be billed each calendar quarter until the license is terminated by the department. The quarterly bills will delineate the manpower, laboratory and support service costs associated with routine regulatory activities completed by the department.

(3) Amendment: The actual costs incurred in reviewing and processing an amendment to a license will be added to and included with the department's calendar quarter charge for routine regulatory activities.

(4) Renewal: The actual costs incurred in reviewing and processing an application for renewal will be added to and included with the department's calendar quarter charge for routine regulatory activities.)

(1) Applicants, licensees, permittees, and registrants requesting or receiving licenses, permits, registrations, and actions or services by the department shall pay the applicable fee or fees for the license, permit, registration, and action or service provided by the department.

(2) The department shall charge a fee for each:

(a) Radiation machine facility registration;

(b) Radioactive material license;

(c) Service or action with respect to a radioactive material licensee not otherwise covered by fees;

(d) Cubic foot of low-level radioactive waste volume received at a commercial disposal site;

(e) Kilogram of uranium or thorium milled from ore; and

(f) Air emission permit.

(3) The department shall charge a fee for each radioactive material license based on the single highest fee category describing activities subject to the conditions of the license.

(4) The department shall charge the applicable license fee for each category when multiple licenses are required.

(5) The department may require multiple radioactive material licenses based upon:

(a) Physical separation of operations;

(b) Organizational separations within a licensee's operation;

(c) Complexity of uses of radioactive material such that two or more fee categories would apply to the operation.

(6) Each licensee, permittee, or registrant shall:

(a) Remit the full fee (i) at the fee rate established by rule at the time such fee is paid, and (ii) at least thirty days prior to the annual anniversary date for licensees or the biennial expiration date for registrants or (iii) on a payment schedule as provided in WAC 246-254-030.

(b) Consider the annual anniversary to be the month and day of the expiration date of the existing radioactive material license.

(7) The department shall refund one-half of the fee if an application is withdrawn prior to issuance of a radioactive material license.

(8) If there is a change by the applicant, licensee, permittee or registrant resulting in a higher fee category, the applicant, licensee, permittee, or registrant shall pay an additional fee prorated for the remainder of the fee interval.

(9) Each licensee, permittee, or registrant shall remit the full amount of any quarterly billing or individual billing for licensing or compliance actions within thirty days of receipt of the bill.

(10) Fees due on or after the effective date of these regulations shall be at the rate prescribed in this chapter.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-254-030 SMALL BUSINESS DISCOUNT PROVISION AND OPTIONAL FEE PAYMENT SCHEDULE APPLICABLE TO RADIOACTIVE MATERIALS LICENSEES. (1) Small business may receive a twenty-five percent discount on radioactive materials license fees (~~(due on or after June 30, 1986. (See WAC 440-44-057(2) for fee amount.))~~) specified in WAC 246-254-070, 246-254-080, 246-254-090, and 246-254-100.

(2) To qualify for the discount, the business shall:

(a) Be a corporation, partnership, sole proprietorship, or other legal entity formed for the purpose of making a profit;

(b) Be independently owned and operated from all other businesses (i.e., not a subsidiary of a parent company); and

(c) Have fifty or fewer employees.

(3) To receive the discount, the license applicant at the time of initial license request, or the licensee at the time of annual billing shall:

(a) Certify, on the business' letterhead or appropriate departmental form, the business meets the conditions in subsection (2) of this section (~~(have been met)~~);

(b) Sign the certification as the chief executive officer of the business or as an official designee;

(c) Have the certification notarized;

(d) Enclose the payment with the certification; and

(e) Submit the certification and payment in accordance with instructions provided by the department.

(4) The department may verify certifications and will suspend any radioactive materials license if the applicant/licensee:

(a) Failed to pay the required fee; or

(b) Made an invalid or false certification.

(5) Upon request of any radioactive materials licensee or license applicant, the department may accept semiannual or quarterly payments in lieu of the required annual license fee, provided:

(a) A written payment schedule setting specific due dates and payment amounts is submitted; and

(b) The total payments per the schedule equal the fee in effect at the time such fee payment schedule is accepted by the department.

#### **NEW SECTION**

WAC 246-254-040 DENIAL, REVOCATION, SUSPENSION, AND REINSTATEMENT. The department shall:

(1) Deny an application if the appropriate fee is not received;

(2) Suspend or revoke a license, permit, or registration if a required fee is not received;

(3) Refund no fees if a license, permit or registration is denied, revoked, or suspended;

(4) Require reapplication for a license, permit, or registration after denial or revocation including fees as required under this chapter.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-254-050 METHOD OF PAYMENT. Licensees, permittees and registrants shall:

(1) ~~((Fee payments shall be))~~ Submit fee payments by check, draft or money order made payable to the department of ~~((social and))~~ health ~~((services));~~ and

(2) ~~((Fees are due and payable upon submission of))~~ Include fee payment with the application for license or ~~((within thirty days of receipt of a bill for actual costs incurred per calendar quarter))~~ submit the fee by mail, in person, or by courier to the address provided in the bill or bill correspondence.

**NEW SECTION**

WAC 246-254-070 FEES FOR SPECIALIZED RADIOACTIVE MATERIAL LICENSES. (1) Persons licensed or authorized to possess or use radioactive material in the following special categories shall forward annual fees to the department as follows:

(a) Eight thousand seven hundred dollars for operation of a single radioactive waste facility allowing processing, volume reduction, or waste treatment, but not permitting commercial on-site disposal.

(b) Three thousand five hundred dollars for operation of a single nuclear pharmacy.

(c) Six thousand dollars for operation of a single nuclear laundry.

(d) Six thousand dollars for a license authorizing a single facility to use more than one curie of unsealed radioactive material in the manufacture and distribution of radioactive products or devices containing radioactive material.

(e) Two thousand one hundred dollars for a license authorizing a single facility to use less than or equal to one curie of unsealed radioactive material or any quantity of previously sealed sources in the manufacture and distribution of products or devices containing radioactive material.

(f) Four thousand dollars for a license authorizing decontamination services operating from a single facility.

(g) One thousand nine hundred dollars for a license authorizing waste brokerage including the possession, temporary storage at a single facility, and over-packing only of radioactive waste.

(h) Eight hundred fifty dollars for a license authorizing equipment servicing involving:

(i) Incidental use of calibration sources;

(ii) Maintenance of equipment containing radioactive material; or

(iii) Possession of sealed sources for purpose of sales demonstration only.

(i) One thousand six hundred dollars for a license authorizing health physic services, leak testing, or calibration services.

(j) One thousand dollars for a civil defense license.

(k) Three hundred dollars for a license authorizing possession of special nuclear material as pacemakers or depleted uranium as shielding.

(2) Persons licensed or authorized to possess and use radioactive material in the following broad scope categories shall forward annual fees to the department as follows:

(a) Twelve thousand dollars for a license authorizing possession of atomic numbers three through eighty-three with maximum authorized possession of any single isotope greater than one curie.

(b) Five thousand five hundred dollars for a license authorizing possession of atomic numbers three through eighty-three with maximum authorized possession of any single isotope greater than 0.1 curie but less than or equal to one curie.

(c) Four thousand five hundred dollars for a license authorizing possession of atomic numbers three through eighty-three with maximum authorized possession less than or equal to 0.1 curie.

**NEW SECTION**

WAC 246-254-080 FEES FOR MEDICAL AND VETERINARY RADIOACTIVE MATERIAL LICENSES. (1) Persons licensed or authorized to possess or use radioactive material in the following medical or veterinary categories shall forward annual fees to the department as follows:

(a) Three thousand two hundred dollars for operation of a mobile nuclear medicine program.

(b) Two thousand two hundred dollars for a license authorizing groups II and III of WAC 246-235-120 for diagnostic nuclear medicine at a single facility.

(c) One thousand nine hundred dollars for a license authorizing groups IV and V of WAC 246-235-120 for medical therapy at a single facility.

(d) Three thousand dollars for a license authorizing groups II or III and groups IV or V of WAC 246-235-120 for full diagnostic and therapy services at a single facility; and

(e) One thousand six hundred dollars for a license authorizing groups VI of WAC 246-235-120 for brachytherapy at a single facility.

(f) One thousand dollars for a license authorizing brachytherapy or teletherapy at a single facility.

(g) One thousand five hundred dollars for a license authorizing medical or veterinary possession of greater than two hundred millicuries total possession of radioactive material at a single facility.

(h) One thousand two hundred dollars for a license authorizing medical or veterinary possession of greater than thirty millicuries but less than or equal to two hundred millicuries total possession of radioactive material at a single facility.

(i) Nine hundred dollars for a license authorizing medical or veterinary possession of less than or equal to thirty millicuries total possession of radioactive material at a single facility.

(j) Eight hundred dollars for a license authorizing group I as defined in WAC 246-235-120 or in vitro uses of radioactive material at a single facility.

(k) Five hundred dollars for a license authorizing medical or veterinary possession of a sealed source for diagnostic use at a single facility.

(2) Persons with licenses authorizing multiple locations of use shall increase the annual fee by fifty percent for each additional location.

**NEW SECTION**

WAC 246-254-090 FEES FOR INDUSTRIAL RADIOACTIVE MATERIAL LICENSES. (1) Persons licensed or authorized to possess or use radioactive material in the following industrial categories shall forward annual fees to the department as follows:

(a) Three thousand seven hundred dollars for a license authorizing the use of radiographic exposure devices in one or more permanent radiographic vaults in a single facility.

(b) Four thousand seven hundred dollars for a license authorizing the use of radiographic exposure devices at temporary job sites but operating from a single storage facility.

(c) Two thousand three hundred dollars for a license authorizing well-logging activities including the use of radioactive tracers operating from a single storage facility.

(d) Five hundred dollars for a license authorizing possession of portable sealed sources including moisture/density gauges and excluding radiographic exposure devices operating from a single storage facility.

(e) Five hundred fifty dollars for a license authorizing possession of any nonportable sealed source, including special nuclear material and excluding radioactive material used in gas chromatograph at a single facility.

(f) Three hundred fifty dollars for a license authorizing possession of gas chromatograph units containing radioactive material at a single facility.

(g) Nine hundred fifty dollars for a license authorizing possession of any self-shielded or pool type irradiator with sealed source total quantity greater than one hundred curies at a single facility.

(h) Five thousand dollars for a license authorizing possession of sealed sources for a walk-in type irradiator at a single facility.

(i) Four thousand four hundred dollars for a license authorizing possession of greater than one gram of unsealed special nuclear material or greater than five hundred kilograms of source material at a single facility.

(j) One thousand four hundred dollars for a license authorizing possession of less than or equal to one gram of unsealed special nuclear material or five hundred kilograms of source material at a single facility.

(2) Persons with licenses authorizing multiple locations of permanent storage shall increase the annual fee by fifty percent for each additional location.

(3) Depleted uranium registrants required to file Form RHF-20 shall forward an annual fee of fifty dollars to the department.

**NEW SECTION**

WAC 246-254-100 FEES FOR LABORATORY RADIOACTIVE MATERIAL, LICENSES. (1) Persons licensed or authorized to possess or use unsealed radioactive material in the following laboratory categories shall forward annual fees to the department as follows:

(a) Two thousand four hundred dollars for a license authorizing possession at a single facility of unsealed sources in amounts greater than:

(i) One millicurie of I-125 or I-131; or

(ii) One hundred millicuries of H-3 or C-14; or

(iii) Ten millicuries of any single isotope.

(b) One thousand two hundred dollars for a license authorizing possession at a single facility of unsealed sources in amounts:

(i) Greater than 0.1 millicurie and less than or equal to one millicurie of I-125 or I-131; or

(ii) Greater than ten millicuries and less than or equal to one hundred millicuries of H-3 or C-14; or

(iii) Greater than one millicurie and less than or equal to ten millicuries of any single isotope.

(c) One thousand dollars for a license authorizing possession at a single facility of unsealed sources in amounts less than or equal to:

- (i) 0.1 millicurie of I-125 or I-131; or
- (ii) Ten millicuries of H-3 or C-14; or
- (iii) One millicurie of any other single isotope.

(2) Persons with licenses authorizing multiple locations of use shall increase the annual fee by fifty percent for each additional location.

(3) In vitro registrants required to file Form RHF-15 shall forward an annual fee of fifty dollars to the department.

#### NEW SECTION

WAC 246-254-110 FEES FOR RECIPROCITY. (1) The department shall charge fees for reciprocal recognition of other agreement state, licensing state or United States Nuclear Regulatory Commission licenses based upon the actual amount of radioactive material or type of devices being transported into Washington state or the type of service to be performed involving radioactive material.

(2) The department shall charge a fee equal to one hundred percent of the fee specified under WAC 246-254-070, 246-254-080, 246-254-090, and 246-254-100.

(3) The department shall permit the reciprocally recognized licensee to possess and use radioactive material in the state of Washington up to one hundred eighty days during the twelve-month period following payment of each fee.

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-254-120 FEES FOR LICENSING AND COMPLIANCE ACTIONS. ~~((+)) Licenses specifically authorizing the receipt, possession or use of natural uranium and its decay daughters for the extraction of uranium or thorium compounds or for the reclamation and disposal of the associated tailings or waste shall be subject to quarterly payment of expenses incurred by the department. Expenses of the department include those activities which determine licensee's compliance with terms and conditions of the license, review licensing requests and requirements, or maintain a uranium mill program which is compatible with the requirements of the United States Nuclear Regulatory Commission.~~

~~(2) The initial application fee shall be twenty-five thousand dollars. Annual costs shall not exceed ninety thousand dollars for any licensee, except when an environmental impact statement shall be prepared in accordance with chapter 173-11 WAC in which case annual costs shall not exceed two hundred thousand dollars for any licensee.) (1) In addition to the fee for each radioactive material license as described under WAC 246-254-070, 246-254-080, 246-254-090, and 246-254-100, a licensee shall pay a service fee for each additional licensing and compliance action as follows:~~

~~(a) For a second follow-up inspection, and each follow-up inspection thereafter, a fee of eighty dollars per hour of direct staff time associated with the follow-up inspection, not to exceed eight hundred dollars per follow-up inspection. Hours are calculated in half-hour increments.~~

~~(b) For each environmental cleanup monitoring visit, a fee of eighty dollars per hour of direct staff time associated with the environmental cleanup monitoring visit, not to exceed two thousand dollars per visit. Hours are calculated in half-hour increments.~~

~~(c) For each new license application, the fee of one hundred fifty dollars in addition to the required annual fee.~~

~~(d) For each sealed source and device evaluation, a fee of eighty dollars per hour of direct staff time associated with each sealed source and device evaluation, not to exceed two thousand four hundred dollars per evaluation.~~

~~(2) The licensee or applicant shall pay any additional service fees at the time of application for a new license or within thirty days of the date of the billing for all other licensing and compliance actions.~~

~~(3) The department shall process an application only upon receipt of the new application fee and the annual fee.~~

~~(4) The department may take action to modify, suspend, or terminate the license or sealed source and device registration if the licensee fails to pay the fee for additional licensing and compliance actions billed by the department.~~

#### NEW SECTION

WAC 246-254-140 FEES FOR URANIUM, THORIUM AND OTHER MINERAL PROCESSORS. (1) Persons licensed or authorized to receive, possess, or use natural uranium and its decay daughters for the extraction of uranium or thorium compounds or for the reclamation and disposal of the associated tailings or waste shall pay:

- (a) Initial application fee of thirty-five thousand dollars; and
- (b) Quarterly billings for actual costs to the department.

(2) The department shall bill the uranium or thorium milling licensee quarterly for the department's actual cost of:

- (a) Reviewing and issuing a license in excess of the initial application fee;
- (b) Determining the licensee's compliance with terms and conditions of the license;
- (c) Reviewing license amendment requests;
- (d) Maintaining a uranium mill program which is compatible with the requirements of the United States Nuclear Regulatory Commission;
- (e) Determining and assuring compliance with chapter 173-11 WAC; and
- (f) Reviewing and processing an application for renewal.

(3) The department shall delineate in the quarterly billing the staff, laboratory, and support service costs.

- (4) The department:
- (a) Shall process any initial application only upon receipt of the full fee specified; and
- (b) May return an application to an applicant if no payment is received.

(5) The department shall credit the initial application fee to the applicants' quarterly billing.

(6) Mineral processors requiring licenses for naturally occurring radioactive material in excess of exempt concentrations shall pay:

- (a) Initial application fee of twenty-seven thousand dollars; and
- (b) Quarterly billings not to exceed forty thousand dollars.

(7) The department shall bill mineral processor licensees quarterly for the department's actual cost of:

- (a) Processing and issuing a license in excess of the initial application fee;
- (b) Determining the licensee's compliance with terms and conditions of the license;
- (c) Reviewing and processing amendment and renewal requests; and
- (d) Determining and assuring compliance with chapter 173-11 WAC.

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-254-150 FEES FOR PERPETUAL CARE AND MAINTENANCE. (1) Persons with licenses specifically authorizing the receipt, possession, or use of natural uranium and its decay daughters for the extraction of uranium or thorium compounds or for the reclamation and disposal of the associated tailings or waste shall ~~((be subject to)):~~

- (a) Make quarterly payments of twenty cents per kilogram of uranium or thorium compound milled out of the raw ore((-));
- (b) Remit this payment ~~((is due))~~ within thirty days after the end of each calendar quarter((-); and
- (c) Pay to the department a minimum ~~((charge))~~ of two hundred fifty thousand dollars (1978 dollars) ~~((accrued as specified in WAC 402-22-070 (6)(d)))~~ to cover the costs of long-term surveillance ~~((shall be paid by each mill operator to the department))~~ prior to the termination of a uranium or thorium mill license.

~~((The maximum amount paid by each licensee for perpetual care and maintenance shall not exceed one million dollars)) (2) Licensees under this section may make additional payments to meet the minimum, prior to the release of any surety arranged by the licensee in accordance with WAC 246-235-080 (6)(d).~~

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-254-160 FEES FOR AIRBORNE EMISSIONS OF RADIOACTIVE MATERIALS. (1) The department shall include fees for emission ~~((sources))~~ units at facilities licensed by the department, as part of the license fees specified in WAC ~~((440-44-057))~~ 246-254-070, 246-254-080, 246-254-090, and 246-254-100.

(2) For emission (~~sources~~) units at all other facilities (~~the department shall assess fees for air emission permits as follows~~):

(a) Application. The (~~initial application fee shall be~~) applicant shall submit a fee of one thousand dollars for each air emission permit to the department with each application.

(i) (~~Each application for an emission permit shall be accompanied by the full amount of the initial application fee.~~)

(ii) ~~No application shall be processed prior to payment of the full amount specified.~~

(iii) ~~Applications for which no remittance is received shall be returned to the applicant.~~

(iv) The department shall process only those applications accompanied by the fee prescribed in (a) of this subsection. The department shall return any application submitted without the prescribed fee to the applicant.

(ii) The applicant shall pay any additional actual costs involved with processing the application (~~and~~) upon receipt of a bill from the department (shall bill for these) on a calendar quarter basis.

(iii) ~~The department shall credit the initial application fee (shall be a credit)~~ to the applicant's quarterly billings.

(b) Operations. The department shall charge each emission (~~source~~) unit operator (to cover) the actual expenses incurred by the department (~~incurs~~) in determining compliance with the provisions of established regulations and conditions of the air emission permit (~~and~~); and:

(i) (~~The department shall~~) Bill the operator each calendar quarter until the permit is terminated by the department.

(ii) Specify in the quarterly bill (shall specify the manpower) the staff, laboratory, and support service costs associated with the regulatory activities conducted by the department.

(c) Amendment. The (~~actual costs~~) department shall add and include the actual costs incurred by the department (incurs) in reviewing and processing an amendment to an air emission permit (~~shall be added to and included~~) in the department's calendar quarter charge for regulatory activities.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-254-170 FAILURE BY APPLICANT OR LICENSEE TO PAY PRESCRIBED FEES. In any case where the department finds that an applicant, a permittee, a registrant, or a licensee (~~has~~) failed to pay a prescribed fee or actual costs incurred during a calendar quarter, the department (~~will~~): (1) Shall not process any application and (2) may suspend or revoke any license, permit, registration, or approval involved; or (3) may issue an order with respect to licensed, permitted, or registered activities as the department determines (to be) appropriate or necessary in order to carry out the provisions of this chapter.

**REPEALER**

The following sections of the Washington Administrative Code are repealed:

- WAC 246-254-057 LICENSE FEES FOR RADIOACTIVE MATERIALS.
- WAC 246-254-058 FEES FOR ADDITIONAL SERVICE.
- WAC 246-254-999 SITE USE PERMIT FEE.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-254-053 RADIATION MACHINE FACILITY REGISTRATION FEES. (1) Persons owning and/or leasing and using radiation-producing machines shall submit a (~~fifty~~) sixty dollar registration fee to the department at the time of application and every two years thereafter. In addition:

- (a) For dentists, veterinarians, and podiatrists, add:
  - (i) (~~Sixty~~) Seventy dollars for the first tube; and
  - (ii) (~~Twenty~~) Twenty-five dollars for each additional tube.
- (b) For hospitals and medical or chiropractic facilities, add:
  - (i) (~~One~~) Two hundred (~~eighty~~) dollars for the first tube; and
  - (ii) (~~Sixty~~) Seventy dollars for each additional tube.
- (c) For industrial, research, and other uses, add:
  - (i) One hundred dollars for the first tube; and
  - (ii) Thirty dollars for each additional tube.

(2) The department shall charge a maximum total fee of (~~three~~) four thousand dollars (~~total fee~~) for any (~~facilities under one administration~~) facility or group of facilities under one administrative control where an in-house, full-time staff of at least three or more is devoted entirely to in-house radiation safety.

(3) For any facility with a mammographic x-ray machine, add a biennial surcharge of two hundred dollars.

(4) A penalty fee of sixty dollars shall be charged for late registration or re-registration.

**WSR 91-18-057**  
**PERMANENT RULES**  
**DEPARTMENT OF HEALTH**  
**(Pharmacy Board)**

[Order 191B—Filed August 30, 1991, 2:44 p.m.]

Date of Adoption: August 22, 1991.

Purpose: This action moves the related rules to Department of Health title. Amends title, chapter and section numbers, causing these WACs to be relocated in a new title for the Department of Health and Department of Health related boards.

Statutory Authority for Adoption: RCW 18.64.005 and chapter 18.64A RCW.

Pursuant to notice filed as WSR 91-14-033 on June 26, 1991.

Effective Date of Rule: Thirty days after filing.

August 22, 1991  
 Joyce Gillie  
 Chair

**RECODIFICATION SECTION**

The following sections are being recodified as chapter 246-857 WAC:

Chapter 246-857 WAC  
 Pharmacists—Practice and procedure

360-08-005	as	246-857-020
360-08-010	as	246-857-030
360-08-040	as	246-857-040
360-08-050	as	246-857-050
360-08-060	as	246-857-060
360-08-230	as	246-857-070
360-08-240	as	246-857-080
360-08-250	as	246-857-090
360-08-260	as	246-857-100
360-08-270	as	246-857-110
360-08-280	as	246-857-120
360-08-290	as	246-857-130
360-08-300	as	246-857-140
360-08-310	as	246-857-150
360-08-320	as	246-857-160
360-08-330	as	246-857-170
360-08-340	as	246-857-180
360-08-350	as	246-857-190
360-08-360	as	246-857-200
360-08-370	as	246-857-210
360-08-380	as	246-857-220
360-08-390	as	246-857-230
360-08-400	as	246-857-240
360-08-420	as	246-857-250
360-08-520	as	246-857-260

360-08-530	as	246-857-270
360-08-540	as	246-857-280
360-08-550	as	246-857-290
360-08-560	as	246-857-300
360-08-570	as	246-857-310
360-08-580	as	246-857-320
360-08-590	as	246-857-330
360-45-010	as	246-857-340

**RECODIFICATION SECTION**

The following sections are being recodified as chapter 246-858 WAC:

## Chapter 246-858 WAC

## Pharmacists—Internship requirements

360-10-010	as	246-858-020
360-10-020	as	246-858-030
360-10-030	as	246-858-040
360-10-040	as	246-858-050
360-10-050	as	246-858-060
360-10-060	as	246-858-070
360-10-080	as	246-858-080

**RECODIFICATION SECTION**

The following sections are being recodified as chapter 246-861 WAC:

## Chapter 246-861 WAC

## Pharmacists—Professional pharmaceutical education

360-11-010	as	246-861-020
360-11-020	as	246-861-030
360-11-023	as	246-861-040
360-11-027	as	246-861-050
360-11-030	as	246-861-060
360-11-033	as	246-861-070
360-11-037	as	246-861-080
360-11-040	as	246-861-090
360-11-045	as	246-861-100
360-11-060	as	246-861-110
360-11-070	as	246-861-120

**RECODIFICATION SECTION**

The following sections are being recodified as chapter 246-863 WAC:

## Chapter 246-863 WAC

## Pharmacists—Licensing

360-12-015	as	246-863-020
360-12-050	as	246-863-030
360-12-065	as	246-863-040
360-12-110	as	246-863-050
360-12-120	as	246-863-060
360-12-125	as	246-863-070
360-12-130	as	246-863-090
360-12-140	as	246-863-100
360-12-150	as	246-863-110
360-12-160	as	246-863-120

**RECODIFICATION SECTION**

The following sections are being recodified as chapter 246-865 WAC:

## Chapter 246-865 WAC

## Pharmaceutical services—Extended care facility

360-13-010	as	246-865-020
360-13-020	as	246-865-030
360-13-030	as	246-865-040
360-13-045	as	246-865-010
360-13-055	as	246-865-050
360-13-066	as	246-865-060
360-13-100	as	246-865-070

**RECODIFICATION SECTION**

The following sections are being recodified as chapter 246-867 WAC:

## Chapter 246-867 WAC

## Impaired pharmacist rehabilitation

360-15-010	as	246-867-001
360-15-020	as	246-867-010
360-15-030	as	246-867-020
360-15-040	as	246-867-030
360-15-050	as	246-867-040
360-15-060	as	246-867-050
360-15-070	as	246-867-060

**RECODIFICATION SECTION**

The following sections are being recodified as chapter 246-869 WAC:

## Chapter 246-869 WAC

## Pharmacy licensing

360-16-005	as	246-869-020
360-16-011	as	246-869-030
360-16-020	as	246-869-040
360-16-025	as	246-869-050
360-16-040	as	246-869-060
360-16-050	as	246-869-070
360-16-070	as	246-869-080
360-16-094	as	246-869-090
360-16-096	as	246-869-100
360-16-098	as	246-869-110
360-16-120	as	246-869-120
360-16-150	as	246-869-130
360-16-180	as	246-869-140
360-16-200	as	246-869-150
360-16-210	as	246-869-160
360-16-220	as	246-869-170
360-16-230	as	246-869-180
360-16-235	as	246-869-190
360-16-245	as	246-869-200
360-16-255	as	246-869-210
360-16-265	as	246-869-220
360-16-270	as	246-869-230
360-16-290	as	246-869-240
360-16-300	as	246-869-250
360-28-010	as	246-869-260

**RECODIFICATION SECTION**

The following sections are being recodified as chapter 246-871 WAC:

Chapter 246-871 WAC  
Pharmaceutical—Parenteral products for  
nonhospitalized patients

360-16A-010	as	246-871-001
360-16A-020	as	246-871-010
360-16A-030	as	246-871-020
360-16A-040	as	246-871-030
360-16A-060	as	246-871-040
360-16A-070	as	246-871-050
360-16A-080	as	246-871-060
360-16A-090	as	246-871-070
360-16A-100	as	246-871-080

RECODIFICATION SECTION

The following sections are being recodified as chapter 246-873 WAC:

Chapter 246-873 WAC  
Pharmacy—Hospital standards

360-17-010	as	246-873-010
360-17-020	as	246-873-020
360-17-030	as	246-873-030
360-17-040	as	246-873-040
360-17-050	as	246-873-050
360-17-055	as	246-873-060
360-17-060	as	246-873-070
360-17-070	as	246-873-080
360-17-080	as	246-873-090
360-17-090	as	246-873-100
360-17-100	as	246-873-110

RECODIFICATION SECTION

The following sections are being recodified as chapter 246-875 WAC:

Chapter 246-875 WAC  
Pharmacy—Patient medication record systems

360-19-010	as	246-875-001
360-19-020	as	246-875-010
360-19-030	as	246-875-020
360-19-040	as	246-875-030
360-19-050	as	246-875-040
360-19-060	as	246-875-050
360-19-070	as	246-875-060
360-19-080	as	246-875-070
360-19-090	as	246-875-080
360-19-100	as	246-875-090

RECODIFICATION SECTION

The following sections are being recodified as chapter 246-877 WAC:

Chapter 246-877 WAC  
Pharmaceutical—Sales prohibited

360-20-100	as	246-877-020
360-20-210	as	246-877-030

RECODIFICATION SECTION

The following sections are being recodified as chapter 246-879 WAC:

Chapter 246-879 WAC  
Pharmaceutical wholesalers

360-21-010	as	246-879-010
360-21-020	as	246-879-020
360-21-030	as	246-879-030
360-21-040	as	246-879-040
360-21-050	as	246-879-050
360-21-060	as	246-879-060
360-21-070	as	246-879-070
360-21-080	as	246-879-080
360-21-090	as	246-879-090

RECODIFICATION SECTION

The following sections are being recodified as chapter 246-881 WAC:

Chapter 246-881 WAC  
Pharmacy—Prescription drug price advertising

360-23-010	as	246-881-010
360-23-020	as	246-881-020
360-23-030	as	246-881-030
360-23-050	as	246-881-040

RECODIFICATION SECTION

The following sections are being recodified as chapter 246-883 WAC:

Chapter 246-883 WAC  
Pharmaceutical—Sales requiring prescriptions

360-32-050	as	246-883-020
360-32-055	as	246-883-030
360-32-060	as	246-883-040

RECODIFICATION SECTION

The following section is being recodified as chapter 246-885 WAC:

Chapter 246-885 WAC  
Pharmacy—Identification, imprints, markings, and  
labeling of legend drugs

360-33-050	as	246-885-020
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RECODIFICATION SECTION

The following sections are being recodified as chapter 246-886 WAC:

Chapter 246-886 WAC  
Animal control—Legend drugs

360-35-010	as	246-886-001
360-35-020	as	246-886-010
360-35-030	as	246-886-020
360-35-040	as	246-886-030
360-35-050	as	246-886-040
360-35-060	as	246-886-050
360-35-070	as	246-886-060
360-35-080	as	246-886-070
360-35-090	as	246-886-080
360-35-100	as	246-886-090
360-35-110	as	246-886-100

**RECODIFICATION SECTION**

The following sections are being recodified as chapter 246-887 WAC:

## Chapter 246-887 WAC

## Pharmacy—Regulations implementing the Uniform Controlled Substances Act

360-36-010	as	246-887-020
360-36-020	as	246-887-030
360-36-115	as	246-887-040
360-36-210	as	246-887-050
360-36-250	as	246-887-060
360-36-260	as	246-887-070
360-36-270	as	246-887-080
360-36-400	as	246-887-090
360-36-410	as	246-887-100
360-36-411	as	246-887-110
360-36-412	as	246-887-120
360-36-413	as	246-887-130
360-36-420	as	246-887-140
360-36-425	as	246-887-150
360-36-430	as	246-887-160
360-36-440	as	246-887-170
360-36-450	as	246-887-180
360-36-451	as	246-887-190
360-36-500	as	246-887-200

**RECODIFICATION SECTION**

The following sections are being recodified as chapter 246-889 WAC:

## Chapter 246-889 WAC

## Pharmaceutical—Precursor substance control

360-38-010	as	246-889-020
360-38-020	as	246-889-030
360-38-030	as	246-889-040

**RECODIFICATION SECTION**

The following sections are being recodified as chapter 246-891 WAC:

Chapter 246-891 WAC  
Pharmacy—Prophylactics

360-40-010	as	246-891-010
360-40-040	as	246-891-020
360-40-070	as	246-891-030

**RECODIFICATION SECTION**

The following sections are being recodified as chapter 246-893 WAC:

## Chapter 246-893 WAC

## Pharmacy—Public records access pursuant to Initiative 276

360-44-010	as	246-893-001
360-44-020	as	246-893-010
360-44-030	as	246-893-020
360-44-040	as	246-893-030
360-44-050	as	246-893-040
360-44-060	as	246-893-050
360-44-070	as	246-893-060

360-44-080	as	246-893-070
360-44-090	as	246-893-080
360-44-100	as	246-893-090
360-44-110	as	246-893-100
360-44-120	as	246-893-110
360-44-130	as	246-893-120
360-44-140	as	246-893-130
360-44-150	as	246-893-140
360-44-990	as	246-893-998

**RECODIFICATION SECTION**

The following sections are being recodified as chapter 246-895 WAC:

## Chapter 246-895 WAC

## Pharmacy—Good manufacturing practice for finished pharmaceuticals

360-46-010	as	246-895-010
360-46-020	as	246-895-020
360-46-030	as	246-895-030
360-46-040	as	246-895-040
360-46-050	as	246-895-050
360-46-060	as	246-895-060
360-46-070	as	246-895-070
360-46-081	as	246-895-080
360-46-082	as	246-895-090
360-46-090	as	246-895-100
360-46-100	as	246-895-110
360-46-110	as	246-895-120
360-46-120	as	246-895-130
360-46-130	as	246-895-140
360-46-140	as	246-895-150
360-46-150	as	246-895-160
360-46-160	as	246-895-170

**RECODIFICATION SECTION**

The following sections are being recodified as chapter 246-897 WAC:

Chapter 246-897 WAC  
Pharmacy—Drug availability  
AMYGDALIN (LAETRILE)

360-47-010	as	246-897-020
360-47-020	as	246-897-030
360-47-030	as	246-897-040
360-47-040	as	246-897-050
360-47-050	as	246-897-060

## DIMETHYL SULFOXIDE (DMSO)

360-48-010	as	246-897-120
360-48-020	as	246-897-130
360-48-030	as	246-897-140
360-48-040	as	246-897-150
360-48-050	as	246-897-160
360-48-060	as	246-897-170
360-48-070	as	246-897-180
360-48-080	as	246-897-190

**RECODIFICATION SECTION**

The following sections are being recodified as chapter 246-899 WAC:



Chapter 246-899 WAC  
Pharmaceutical—Drug product substitution

360-49-010	as	246-899-020
360-49-020	as	246-899-030
360-49-040	as	246-899-040
360-49-050	as	246-899-050

**RECODIFICATION SECTION**

The following sections are being recodified as chapter 246-901 WAC:

Chapter 246-901 WAC  
Pharmacy assistants

360-52-010	as	246-901-020
360-52-020	as	246-901-030
360-52-030	as	246-901-040
360-52-040	as	246-901-050
360-52-050	as	246-901-060
360-52-060	as	246-901-070
360-52-070	as	246-901-080
360-52-080	as	246-901-090
360-52-090	as	246-901-100
360-52-100	as	246-901-110
360-52-110	as	246-901-120
360-52-120	as	246-901-130

**RECODIFICATION SECTION**

The following sections are being recodified as chapter 246-903 WAC:

Chapter 246-903 WAC  
Nuclear pharmacies and pharmacists

360-54-010	as	246-903-001
360-54-020	as	246-903-010
360-54-030	as	246-903-020
360-54-040	as	246-903-030
360-54-050	as	246-903-040

**RECODIFICATION SECTION**

The following sections are being recodified as chapter 246-905 WAC:

Chapter 246-905 WAC  
Pharmacy—Home dialysis program

360-60-010	as	246-905-020
360-60-020	as	246-905-030
360-60-030	as	246-905-040
360-60-040	as	246-905-050

**WSR 91-18-058****EMERGENCY RULES****DEPARTMENT OF FISHERIES**

[Order 91-78—Filed August 30, 1991, 4:31 p.m., effective September 1, 1991, 12:01 a.m.]

Date of Adoption: August 29, 1991.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order:

Repealing WAC 220-47-705.

Statutory Authority for Adoption: RCW 75.08.080.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Restrictions in Areas 4B, 5, 6, 6A, 6C, 7, and 7A provide protection for United States and Canadian origin chinook stocks. Opening in Area 7B provides opportunity to harvest nontreaty allocation of chinook destined for the Nooksack-Samish region of origin. Openings in Area 8 are directed at the nontreaty share of Skagit River origin pink salmon, and are necessary to reduce chinook impacts; Area 8 in-season area restriction provides protection for coho. Opening in Area 12A provides opportunity to harvest nontreaty share of coho destined for the Quilcene National Fish Hatchery. All other Puget Sound areas are closed to prevent overharvest of local salmon stocks.

Effective Date of Rule: 12:01 a.m., September 1, 1991.

August 29, 1991

Judith Merchant

Deputy

for Joseph R. Blum

Director

**NEW SECTION**

**WAC 220-47-706 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY.** Notwithstanding the provisions of Chapter 220-47 WAC, effective 12:01 AM Sunday September 1, 1991, until further notice, it is unlawful to take, fish for, or possess salmon or Atlantic salmon for commercial purposes taken from the following Puget Sound Salmon Management and Catch Reporting Areas except in accordance with the following open periods and mesh and area restrictions:

\*Areas 4B, 5, 6, 6A, 6C, 7, and 7A – Under the control of the Pacific Salmon Commission. Drift gillnet gear restricted to 5-inch minimum, 6-inch maximum mesh when open.

\*Areas 7B – Gillnets using 7-inch minimum mesh may fish from 6:00 PM to 9:00 AM nightly, Monday and Tuesday September 2 and 3.

\*Area 8 – Gillnets using 5-inch minimum, 6-inch maximum mesh may fish from 5:00 AM Tuesday, September 3 to 9:00 AM Friday, September 6, and purse seines using the 5-inch strip may fish from 5:00 AM to 9:00 PM daily, Tuesday, Wednesday, and Thursday, September 3, 4, and 5. In addition to the exclusion zone described in WAC 220-47-307, Area 8 is closed south and west of a line projected from Polnell Point on Whidbey Island to Rocky Point on Camano Island.

\*Area 12A – Gillnets using 5-inch minimum mesh and purse seines using the 5-inch strip may fish continuously from 5:00 AM Tuesday, September 3 to 4:00 PM Friday, September 6. Exclusion zones described in WAC 220-47-307 are in effect for this fishery.

\*Areas 6B, 6D, 7C, 7D, 7E, 8A, 8D, 9, 9A, 10, 10A, 10C, 10D, 10E, 10F, 10G, 11, 11A, 12, 12B, 12C, 12D, 13, 13A, 13C, 13D, 13E, 13F, 13G, 13H, 13I, 13J, and 13K, all freshwater areas, and exclusion zones provided for in WAC 220-47-307 except as modified herein - Closed.

### REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 AM Sunday September 30, 1991:

WAC 220-47-705 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY (91-71)

### WSR 91-18-059

#### PROPOSED RULES DEPARTMENT OF NATURAL RESOURCES

[Order 580—Filed September 3, 1991, 9:57 a.m.]

#### Original Notice.

Title of Rule: WAC 332-30-106(29), Definitions, interest rate; WAC 332-30-122(3), aquatic land use authorization, rents and fees; WAC 332-100-030, rate of interest for sales; and WAC 332-100-050, rate of interest for contracts.

Purpose: To provide for consistent application of past due interest charges in terms of rate and timing of application, with all other department past due receivables. To provide for a consistent source of interest rate for property sale contracts requiring deferred payment schedules and a consistent rate for use in timber sale contract extensions.

Statutory Authority for Adoption: RCW 79.01.132, 79.01.216, 79.64.030, 79.90.540, 79.90.520, 79.90.535, 79.90.455, and 79.90.460.

Statute Being Implemented: RCW 79.01.132, 79.01.216, 79.90.520, 79.90.535, and sections 1 and 2, chapter 64, Laws of 1991.

Summary: The proposed rule allows the Department of Natural Resources to establish consistent policies and procedures for interest on past due receivables, interest for contract extensions, and interest on land sale contracts with deferred payment schedules.

Reasons Supporting Proposal: The department recently adopted policies and procedures for assessing interest for various receivable activities. These rule changes will bring current rules into conformance with department policy and procedures.

Name of Agency Personnel Responsible for Drafting: Jim Smego, Financial Services Division, John Cherberg Building, QW-21, Olympia, Washington 98504, 753-1512; Implementation and Enforcement: Don Hansen, Manager Financial Services Division, John Cherberg Building, QW-21, Olympia, Washington 98504, 753-5320.

Name of Proponent: Department of Natural Resources, governmental.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and

Fiscal Matters: Existing contract provisions for past due interest charges and extensions will not be changed until updates take place. These rates will be effective for new contracts starting in December 1991.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This rule will set the interest rate to be assessed on past due receivables for aquatic lands and timber sales contracts. This rule establishes the interest rate to be applied on land sales contracts with a deferred payment schedule. This rule will also set the interest rate to be assessed for timber sale contract extensions. This rule allows the department to set consistent interest rate policies and procedures for all agency receivables, especially interest rates and application for past due accounts.

Proposal Changes the Following Existing Rules: Proposed WAC 332-30-106 has a different definition of interest rate than current WAC 332-30-106; proposed WAC 332-30-122 allows for past due interest to be assessed as soon as it is past due, while current WAC 332-30-122 does not allow assessment until 30 days past due; proposed WAC 332-100-030 establishes the specific interest rate to be used for all timber sale contract extensions and past due accounts, while current WAC 332-100-030 defines the data sources and frequency for setting interest rates for extension and past dues; and proposed WAC 332-100-050 defines data element for interest rate on land sale contracts requiring deferred payment schedule, to more closely correspond to activity as carried out by the department.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Senate Hearing Room 1, John Cherberg Building, Olympia, Washington 98504, on October 22, 1991, at 1:00 p.m.

Submit Written Comments to: Jim Smego, Division of Financial Services, John Cherberg Building, QW-21, Olympia, Washington 98504, by October 22, 1991.

Date of Intended Adoption: November 5, 1991.

August 28, 1991

James A. Stearns  
Department Supervisor

#### AMENDATORY SECTION (Amending Resolution No. 500, filed 11/5/85)

##### WAC 332-30-106 DEFINITIONS.

(29) "Interest rate" ((means, for a given year, the average rate of return for the prior calendar year on conventional real property mortgages as reported by the Federal Home Loan Bank Board)) shall be twelve percent per annum (RCW 79.90.520).

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

#### AMENDATORY SECTION (Amending Resolution No. 470, filed 11/9/84)

##### WAC 332-30-122 AQUATIC LAND USE AUTHORIZATION.

###### (3) Rents and fees.

(e) A one percent per month charge shall be made on any amounts which are ((more than thirty days)) past due, unless those amounts are appealed. Users of aquatic properties shall not be considered in good standing when they have amounts more than thirty days past due.

**Reviser's note:** RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

**AMENDATORY SECTION** (Amending Order 346, Resolution No. 304, filed 8/11/80)

**WAC 332-100-050 RATE OF INTEREST FOR CONTRACTS.** The interest rate to be charged on all contracts requiring the same pursuant to RCW 79.01.216 shall be ~~((the average rate of interest charged in the general area of the property to be sold by the six largest lending institutions in such area for conventional mortgages on the first day of the last full quarter preceding approval of a contract by the board of natural resources))~~ the average for thirty year fixed conventional mortgages on the first day of the last full month preceding approval by the board of natural resources. Said rate shall not be less than six percent.

**AMENDATORY SECTION** (Amending Order 346, Resolution No. 304, filed 8/11/80)

**WAC 332-100-030 RATE OF INTEREST FOR SALES.** The interest rate to be charged on all sales requiring the same pursuant to RCW 79.01.132 shall be ~~((the average prime interest rate as quoted by Seattle First National Bank, National Bank of Washington, Rainier National Bank, and Peoples National Bank on the first day of the last full quarter preceding approval of a sale by the board of natural resources))~~ twelve percent per annum. ~~((Said rate shall not be less than six percent per annum.))~~

**WSR 91-18-060**  
**PROPOSED RULES**  
**OLYMPIC AIR POLLUTION**  
**CONTROL AUTHORITY**  
[Filed September 3, 1991, 11:03 a.m.]

Original Notice.

Title of Rule: Olympic Air Pollution Control Authority Regulation 1, Section 9.16 keeping process and/or air pollution control equipment in good operating condition and repair.

Purpose: Ensure proper operation and maintenance of process and/or control equipment for registered air pollution sources.

Statutory Authority for Adoption: Chapter 70.94 RCW.

Summary: The new section, Section 9.16, will require registered sources to keep any process and/or air pollution control equipment in good operating condition and repair.

Reasons Supporting Proposal: Enable sources to maintain compliance with emission standards on a continuous basis.

Name of Agency Personnel Responsible for Drafting and Implementation: James A. Wilson, 120 East State, (206) 586-0593, ext. 101; and Enforcement: Charles Peace, 120 East State, (206) 586-0593, ext. 100.

Name of Proponent: Olympic Air Pollution Control Authority, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The new section, Section 9.16, will require registered sources to keep any process and/or air pollution control equipment in good operating condition and repair.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Olympic Air Pollution Control, 120 East State, Olympia, WA 98501, on October 9, 1991, at 10:15 a.m.

Submit Written Comments to: James A. Wilson, Olympic Air Pollution Control Authority, 120 East State Avenue, Olympia, WA 98501, by October 9, 1991.

Date of Intended Adoption: October 9, 1991.

August 30, 1991  
James A. Wilson  
Air Quality  
Control Specialist

**NEW SECTION**

**SECTION 9.16 CONTROL EQUIPMENT - MAINTENANCE AND REPAIR**

All registered air contaminant sources are required to keep any process and/or air pollution control equipment in good operating condition and repair.

**WSR 91-18-061**  
**PROPOSED RULES**  
**OLYMPIC AIR POLLUTION**  
**CONTROL AUTHORITY**  
[Filed September 3, 1991, 11:13 a.m.]

Original Notice.

Title of Rule: Deletion of Ringelmann method of opacity reading from Olympic Air Pollution Control Authority Regulation 1.

Purpose: Bring Olympic Air Pollution Control Authority Regulation 1 into agreement with state regulation WAC 173-400-040.

Other Identifying Information: Delete the Ringelmann method of opacity reading from Olympic Air Pollution Control Authority Regulation 1 in Sections 1.07, 9.01, 9.03, 12.01, and 12.03.

Statutory Authority for Adoption: Chapter 70.94 RCW.

Summary: Delete the Ringelmann method of opacity reading from Olympic Air Pollution Control Authority Regulation 1 in Sections 1.07, 9.01, 9.03, 12.01, and 12.03.

Reasons Supporting Proposal: The Ringelmann method is no longer used.

Name of Agency Personnel Responsible for Drafting and Implementation: James A. Wilson, 120 East State, (206) 586-0593, ext. 101; and Enforcement: Charles Peace, 120 East State, (206) 586-0593, ext. 100.

Name of Proponent: Olympic Air Pollution Control Authority, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Delete the Ringelmann method of opacity reading from Olympic Air Pollution Control Authority Regulation 1 in Section 1.07, 9.01, 9.03, 12.01, and 12.03 because the method is no longer used.

Proposal Changes the Following Existing Rules: Deletes the Ringelmann method from Olympic Air Pollution Control Authority Regulation 1.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Olympic Air Pollution Control, 120 East State, Olympia, WA 98501, on October 9, 1991, at 10:15 a.m.

Submit Written Comments to: James Wilson, Olympic Air Pollution Control Authority, 120 East State Avenue, Olympia, WA 98501, by October 9, 1991.

Date of Intended Adoption: October 9, 1991.

August 30, 1991  
James A. Wilson  
Air Quality  
Control Specialist

## AMENDATORY SECTION

### SECTION 1.07 DEFINITIONS

When used in regulations of the Olympic Air Pollution Control Authority, the following definitions shall apply:

**ACTUAL EMISSIONS** (as of a particular date) means the average rate, in weight per unit time, with air pollution controls applied, at which the affected emission unit emitted the pollutant during the two-year period which precedes the particular date, and which is representative of normal operation. An adjustment may be made to the average annual emission rate to account for unusual circumstances during the two-year period. The authority may allow or require the use of an alternative time period upon a determination that the alternative time period is more representative of normal operation than is the immediately preceding two years. Actual emissions shall be calculated using the unit's actual operating hours, production rates, and types of materials processed, stored, or combusted during the selected time period. The authority may presume that source specific allowable emissions, which incorporate limits on hours of operation or production rate are equivalent to the actual emissions of the unit.

**AGRICULTURAL OPERATION** means the growing of crops, the raising of fowl or animals as gainful occupation.

**AIR CONTAMINANT** means dust, fumes, mist, smoke, other particulate matter, vapor, gas, odorous substance, or any combination thereof.

**AIR POLLUTION** means the presence in the outdoor atmosphere of one or more air contaminants in sufficient quantities and of such characteristics and duration as is, or is likely to be, injurious to human health, plant or animal life, property, or which unreasonably interferes with enjoyment of life and property.

**ALTERATION** means any addition to or enlargement or replacement; or any major modification or change of the design, capacity, process or arrangement; or any increase in the connected loading of equipment or control facility which will significantly increase or adversely affect the kind or amount of air contaminant emitted.

**AMBIENT AIR** means that portion of the atmosphere external to building to which the general public has access.

**AUTHORITY** means the Olympic Air Pollution Control Authority.

**BOARD** means the Board of Directors of the Olympic Air Pollution Control Authority.

**COMBUSTIBLE REFUSE** means any burnable waste material containing carbon in a free or combined state other than liquid or gases.

**CONTROL APPARATUS** means any device which prevents or controls the emission of any air contaminant.

**CONTROL OFFICER** means the Air Pollution Control Officer of the Olympic Air Pollution Control Authority.

**DAYLIGHT HOURS** means the hours between official sunrise and official sunset.

**EMISSION** means a release into the outdoor atmosphere of air contaminants.

**EMISSION POINT** means the location (place in horizontal plane and vertical elevation) at which an emission enters the atmosphere.

**EMISSION UNIT** means any part of a stationary source and/or a facility that emits or has the potential to emit any regulated pollutant.

**EQUIPMENT** means any stationary or portable device, or any part thereof capable of causing the emission of any air contaminant into the atmosphere.

**FACILITY** is defined as all emission units in the same industrial grouping located on contiguous or adjacent properties and under common ownership or control.

**FIRE CHIEF** means a County Fire Marshal, City Fire Chief, Chief of each County Fire Protection District or his authorized representative, or authorized forestry officials from the Washington State Department of Natural Resources.

**FUEL BURNING EQUIPMENT** means any equipment, device or contrivance used for the burning of any fuel, and all appurtenances thereto, including ducts, breechings, control equipment, fuel feeding equipment, ash removal equipment, combustion controls, stacks, chimneys, etc., used for indirect heating in which the material being heated is not contacted by and adds no substances to the products of combustion.

**GARBAGE** means refuse, animal or vegetable matter as from a kitchen, restaurant or store.

**HOG-FUEL** means wood slabs, edging, trimmings, etc., which have been put through a "hog" to reduce them to a uniform small size, and also includes shavings from planing mills, sawdust from saw-kerfs, bits of bark, chips and other small recovered products from the manufacture of wood products or any combination thereof.

**IDENTICAL UNITS** means units installed and operated in a similar manner on the same premises provided the materials handled, processed, or burned are substantially the same in composition and quantity and their design, mode of operation, connected devices and types and quantities of discharge are substantially the same.

**INCINERATOR** means a furnace for the destruction of waste.

**MULTIPLE-CHAMBER INCINERATOR** means any article, machine, contrivance, structure or part of a structure, used to dispose of combustible refuse by burning, consisting of three or more refractory-lined combustion furnaces in series, physically separated by refractory walls, interconnected by gas passage ports or ducts and employing adequate design parameters necessary for maximum combustion of a material to be burned.

**NEW SOURCE** means a source constructed, installed or established after the effective date of this regulation.

**OPACITY** means the degree to which an emission reduces the transmission of light and obscures the view of an object in the background.

**OPEN BURNING, Continuous Type** means an open-burning disposal process which is being repeated under permit at the same location.

**OPEN FIRE** means a fire where any material is burned in the open or in a receptacle other than a furnace, incinerator or kiln.

**OWNER** means and includes the person who owns, leases, supervises or operates the equipment or control apparatus.

**PARTICULATE MATTER** means any liquid, other than water, or any solid which is so finely divided as to be capable of becoming wind-blown or being suspended in air or other gas or vapor.

**PERMIT** means a written warrant or license granted by the Board, Control Officer, or duly authorized Representative or Agent.

**PERSON** means and includes any individual, firm, public or private corporation, association, partnership, political subdivision, municipality or governmental agency.

**POTENTIAL CONTROLLED EMISSIONS** means the emissions from a facility determined as if the facility was operated at maximum capacity, 8,760 hours per year with control equipment operating. Operating control equipment can be considered only if the affect such controls have on emissions is federally enforceable.

**POTENTIAL UNCONTROLLED EMISSIONS** means the emissions from a facility determined as if the facility was operated at maximum capacity, 8,760 hours per year with control equipment NOT operating.

**PROCESS** means any equipment, device apparatus, chemical, natural element, procedure, effort, or any combination thereof which performs a service, function, use, or method, leading to an end of a particular performance, or manufacturing production.

**REFUSE** means waste as defined in Section 1.07 of this Regulation. **REFUSE BURNING EQUIPMENT** means equipment designed to burn refuse, rubbish or waste material.

**REGULATION** means any regulation, or any subsequently adopted additions or amendments thereto, of the Olympic Air Pollution Control Authority.

REPRESENTATIVE or AGENT means any person authorized by the Control Officer of the Authority to represent him in an official and specific manner.

~~((RINGELMANN SMOKE CHART means the Ringelmann Smoke Chart with instruction for use, as published by the United States Bureau of Mines. (Information Circular 8333))~~

RUBBISH means waste as defined in Section 1.07 of the Regulation.

SALVAGE OPERATION means any operation conducted in whole or in part for the salvaging or reclaiming of any product.

SOURCE means a process, operation, or method which emits or may emit any contaminants to the ambient air.

SOURCE CATEGORY means all sources of the same type or classification.

STACK means duct, chimney, flue, or conduit arranged for the emission into the outdoor atmosphere of air contaminants.

STANDARD AMBIENT CONDITIONS means gas temperature at 60 degrees Fahrenheit and gas pressure at 29.92 inches of mercury.

STANDARD CUBIC FOOT OF GAS means that amount of the gas which would occupy a cube having dimensions of one foot on each side, if the gas were free of water vapor and at a pressure of 14.7 P.S.I.A. and a temperature of 60 degrees Fahrenheit.

STATE ACT means the Washington Clean Air Act, Chapter 70.94 RCW, as amended.

STATIONARY SOURCE means any building, structure, facility, or installation which emits or may emit any air pollutant subject to regulation under the Federal Clean Air Act or the State Clean Air Act or OAPCA REGULATION 1.

WASTE means unproductive, worthless, useless or rejected material.

WASTE-WOOD BURNER means equipment or facility used solely for the combustion-disposal of waste wood without heat recovery. Such burners shall include, but not be limited to, a wigwam burner, a silo-type burner, or an air-curtain burner.

WIGWAM or TEPEE BURNER - see Waste-wood Burner.

## AMENDATORY SECTION

### SECTION 9.01 OPEN FIRES

(a) No person shall cause or allow any open fire within the jurisdiction of the Authority except as follows:

(1) Fires for recreational purposes, cooking of food, Indian campfires, or the sending of smoke signals for a religious ritual.

(2) Fires set for the disposal of waste upon premises of private dwellings housing four families or less, subject however, to the following restrictions:

(i) There shall be one (1) fire only and it shall not exceed four (4) feet in diameter.

(ii) The material may be burned only if it is of a location, nature and condition to burn without emitting smoke ~~((darker in shade than No. 3 on the Ringelmann chart))~~ greater than 60% opacity or offensive odors or creating a nuisance.

(iii) There shall be compliance with all laws and regulations of other governmental agencies regarding such fires.

(3) Fires from flares, torches and waste gas burners.

(4) Any fire allowed under this section is subject to the following:

(i) No salvage operation by opening burning will be conducted.

(ii) No garbage will be burned.

(iii) No dead animals will be disposed of by burning.

(iv) No material containing asphalt, petroleum products, paints, rubber products, plastic or any substance which normally emits dense smoke or obnoxious odors will be burned.

(b) Open burning other than the above exceptions may be conducted only by permit from the Control Officer or his duly designated agent. Such permits shall be issued when the Control Officer, or his duly designated agent, is satisfied that:

(1) No practical alternate method is available for the disposal of the material to be burned. Due consideration shall be given to economic factors and the location at which the material is to be burned.

(2) No salvage operation by open burning will be conducted.

(3) No garbage will be burned.

(4) No dead animals will be disposed of by burning.

(5) No material containing asphalt, petroleum products, paints, rubber products, plastic or any substance which normally emits dense smoke or obnoxious odors will be burned.

(c) Any permit issued may be limited by the imposition of conditions to prevent air pollution as defined in Article 1 of this Regulation. If it becomes apparent at any time to the Control Officer that limitations need to be imposed, the Control Officer, or his duly designated agent, shall notify the permittee; and any limitations so imposed shall be treated as conditions under which the permit is issued.

(d) Fires started in violation of this Regulation shall be extinguished by the persons responsible for the same upon notice of the Control Officer or his duly designated agent. When the Control Officer has knowledge of adverse conditions for the dispersment of the by-products of combustion, an air pollution alert may be declared voiding all permits for open fires.

(e) It shall be prima facie evidence that the person who owns or controls property on which open fire, prohibited by this Regulation, occurs has caused or allowed said open fire.

(f) Firemen Training: The Control Officer, or his duly authorized agent may allow, by permit, an open fire necessary for firemen training (other than forest fire training) by a legally authorized fire control agency and may authorize the burning of petroleum products by such permit.

(g) No person shall cause or allow any open fire:

(1) Containing garbage, dead animals, petroleum products, paints, rubber products, plastics, or any substance which normally emits dense smoke or obnoxious odors, except as provided for in Section 9.01(f).

(2) During a forecast, alert, warning or emergency condition as defined in RCW 70.94.715 - State Episode Avoidance Plan.

(3) In any area which has been designated by the Board or Control Officer as an area exceeding or threatening to exceed State or Federal ambient air quality standards or, after July 1, 1976, State ambient air quality goals for suspended particulate described in Chapter 18-40 WAC, which is by this reference incorporated herein.

## AMENDATORY SECTION

### SECTION 9.03 VISUAL EMISSIONS

(a) In equipment or facilities, including boilers using hogged fuel, regardless of their date of installation, no person shall cause or allow the emission to the outdoor atmosphere, for more than three (3) minutes in any one hour, of a gas stream containing air contaminants which are ~~((darker in shade than that designated as No. 1 (20% density) on the Ringelmann Smoke Chart, as published by the United States Bureau of Mines, or such opacity as to obscure an observer's view to a degree greater than smoke shade No. 1, described above.))~~ greater than 20% opacity.

(b) Repealed February 14, 1979.

(c) No person shall cause or allow the discharge or emission of particulate matter which becomes deposited upon the real or personal property of others. This restriction shall not apply if discharge or emissions are in compliance with Section 9.05 of this regulation; provided, however, that causing or allowing the discharge or emission of particulate matter upon the real or personal property of others shall be prima facie evidence that section 9.05 is not being complied with and the burden of proof shall be upon the source to establish compliance.

(d) Observations shall be made by trained observers or by instrumentation.

(e) The only exceptions to Section 9.03 of this Regulation are as follows:

(1) When the gas stream is an emission from a boiler using hog fuel, and an emission occurs which is due to unplanned and unintentional combustion conditions, the emission may be greater than 40% opacity ((darker than that designated as No. 2 (40% density) but not as dark as that designated as No. 3 (60% density) on the Ringelmann Smoke Chart)) but, must be less than 60% opacity; for a period of not more than six (6) minutes in any one hour: PROVIDED, that the operator shall take immediate action to correct the situation.

(2) For purposes of necessary soot blowing, the emission may be darker than the above limits for a period of not more than fifteen (15) minutes or three (3) minutes per boiler, whichever is less, in any eight (8) hour period.

(3) Where the presence of uncombined water is the only reason for the failure of an emission to meet the limitations of this section, those limits shall not apply. The burden of proof in this case shall be upon the person seeking to operate within the provisions of this section.

(4) The limits of this section shall not apply during the time for compliance with this Regulation fixed by the Control Officer or the Board.

**AMENDATORY SECTION**

**SECTION 12.01 VISIBLE EMISSIONS IN AND FROM EQUIPMENT SOLD OR REGISTERED BEFORE JANUARY 1, 1971**

No person shall cause or allow emission to the atmosphere from a motor vehicle first sold or registered as a new motor vehicle before January 1, 1971, at elevations of less than 3,000 feet for a period of more than 10 seconds, of air contaminants which is (~~as dark as or darker in shade than that designated as No. 2 (40% density) on the Ringelmann Smoke Chart, as published by the U.S. Bureau of Mines, or of such opacity as to obscure an observer's view to a degree greater than smoke shade No. 2 as described above:~~) greater than 40% opacity.

**AMENDATORY SECTION**

**SECTION 12.03 VISIBLE EMISSIONS IN AND FROM EQUIPMENT SOLD OR REGISTERED AFTER JANUARY 1, 1971**

No person shall cause or allow emission to the atmosphere from a motor vehicle first sold or registered as a new motor vehicle on or after January 1, 1971, at elevations of less than 3,000 feet for a period of more than 10 seconds, of air contaminants which is (~~as dark as or darker in shade than that designated as No. 1 (20% density) on the Ringelmann Smoke Chart, as published by the U.S. Bureau of Mines, or of such opacity as to obscure an observer's view to a degree greater than smoke shade No. 1 as described above:~~) greater than 20% opacity.

**WSR 91-18-062**

**NOTICE OF PUBLIC MEETINGS  
UNIVERSITY OF WASHINGTON  
[Memorandum—August 29, 1991]**

Following is a revised meeting schedule for regular meetings to be held by the University of Washington's Department of Financial Management—Planned Giving Acceptance Committee.

The meeting of August 23 has been moved to Wednesday, August 28, 10:00 – 11:00 a.m. in our downtown office of 1200 IBM Building, 12th Floor, Conference Room.

The meeting of October 4 has been moved to Thursday, October 10, 10:00 – 11:00 in our downtown office as well.

- November 1 9:30 – 10:30 Room 26  
Administration Building  
on campus
- December 6 9:30 – 10:30 Room 26  
Administration Building  
on campus
- December 27 9:30 – 10:30 Room 26  
Administration Building  
on campus

**WSR 91-18-063**

**NOTICE OF PUBLIC MEETINGS  
UNIVERSITY OF WASHINGTON  
[Memorandum—August 29, 1991]**

Following is a revised meeting schedule for regular meetings to be held by the University of Washington's School of Music Faculty.

These are the dates established for next year's faculty meetings in the School of Music. As last year, the Thursday dates are held in reserve for continuation meetings as needed. (In practice, there will be few of these.)

All meetings take place at 12:30 p.m. in Room 126, the Brechemin Auditorium of the Music Building.

- October 1
- October 3
- November 5
- November 7
- December 3
- December 5

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- January 7
  - January 9
  - February 4
  - February 6
  - March 3
  - March 5
  - April 7
  - April 9
  - May 5
  - May 7
  - June 2
  - June 4

**WSR 91-18-064  
RULES COORDINATOR  
DEPARTMENT OF  
LABOR AND INDUSTRIES  
[Filed September 3, 1991, 1:56 p.m.]**

The Department of Labor and Industries names Brett Buckley as the 1991-92 rules coordinator. Please send information to the following address: Brett Buckley, Legislative Liaison, General Administration Building, HC-101, Olympia, Washington 98504.

Joseph A. Dear  
Director

**WSR 91-18-065  
PROPOSED RULES  
PUGET SOUND AIR  
POLLUTION CONTROL AGENCY  
[Filed September 3, 1991, 1:57 p.m.]**

Original Notice.

Title of Rule: Amending Sections 5.07 and 6.04 of Regulation I; and adding Section 5.10 of Regulation I.

Purpose: Increase fees to provide increased budget. Budget increased because of increased responsibilities due to recent Washington State and Federal Clean Air Act amendments.

Other Identifying Information: Section 5.07 pertains to registration fees; Section 5.10 concerns a training

surcharge; and Section 6.04 relates to notice of construction fees.

Statutory Authority for Adoption: Chapter 70.94 RCW.

Statute Being Implemented: RCW 70.94.151 and 70.94.152.

Summary: Amendments would increase registration and notice of construction fees; new section would add a surcharge for state-mandated inspector training program.

Reasons Supporting Proposal: Federal Clean Air Act amendments require air pollution control agencies be funded at a rate of \$25/ton of annual emissions from point sources. Board adopted budget which called for fee increase. No fee increase since December 9, 1982; proposed increase is comparable to a COLA for the 9-year period.

Name of Agency Personnel Responsible for Drafting: Harry Watters, 200 West Mercer, Room 205, Seattle, 98119, 296-7334; and Implementation and Enforcement: Jim Nolan, 200 West Mercer, Room 205, Seattle, 98119, 296-7426.

Name of Proponent: Puget Sound Air Pollution Control Agency, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Change fee schedule for registration and notice of construction and add a surcharge for incinerator and landfill state-mandated inspector training program.

Proposal Changes the Following Existing Rules: The proposal increases registration and notice of construction fees and adds a training surcharge to reflect statutory changes to the Washington Clean Air Act and the board's adopted budget.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Port of Seattle Commissioner's Chambers, Terminal No. 66, Bell Street Terminal, Alaskan Way, on October 10, 1991, at 9:00 a.m.

Submit Written Comments to: Anita Frankel, Puget Sound Air Pollution Control Agency, 200 West Mercer Street #205, Seattle, WA 98119, by October 1, 1991.

Date of Intended Adoption: October 10, 1991.

August 30, 1991  
Harry A. Watters  
Senior Air  
Pollution Engineer

**AMENDATORY SECTION**

**REGULATION I SECTION 5.07 FEES - REGISTRATION PROGRAM**

(a) The Agency shall levy annual registration fees as set forth in Table 5-B for services provided in administering the registration program. Fees received under the registration program shall not exceed the cost of administering the registration program.

(b) Upon assessment by the Agency, registration fees are due and payable and shall be deemed delinquent if not fully paid within 60 days.

**TABLE 5-B REGISTRATION FEE SCHEDULE**

- (1) For all facilities, a fee of (~~(\$60.00)~~) \$65.00 per facility; and
- (2) For all facilities:
  - (i) (~~(\$25.00)~~) \$35.00 for each item of air contaminant generating equipment; and
  - (ii) (~~(\$25.00)~~) \$35.00 for each item of air contaminant control apparatus, including continuous emission monitors; and
  - (iii) \$5.00 for each Stage 2 gasoline dispensing nozzle; and
  - (3) For only those facilities for which the Agency has recorded total annual emissions of (~~(250 tons or more of carbon monoxide or)~~) 25 tons or more of (~~(any of the following:)~~) PM<sub>10</sub>, sulfur oxides, nitrogen oxides, or carbon monoxide; or annual emissions of 10 tons or more of (~~(volatile organic compounds, or)~~) toxic air contaminants or volatile organic compounds, including any negligibly reactive compound:
    - (~~(i)~~) \$55.00 for each type of fuel burned resulting in an annual emission of more than one ton; and
    - (ii) \$55.00 for each separate manufacturing process; and
    - (iii) \$55.00 for each incineration process; and
    - (iv) \$55.00 for the following materials handling operations: grain, mineral ores, slag dumping, rock and sand, coal exporting, petroleum products at refiners, terminals, or bulk plants; and
    - (v) \$55.00 for each material containing volatile organic compounds used for cleaning, dilution, bonding, printing, surface preparation, or coating whose annual loss into the atmosphere exceeds one ton; and
    - (vi) \$30.00 for each stack or other emission point:
      - (i) \$20.00 per tone for PM<sub>10</sub>, sulfur oxides, nitrogen oxides, carbon monoxide, toxic air contaminants, or volatile organic compounds, including any negligibly reactive compound; and
      - (ii) \$100.00 for each emission segment; and
      - (iii) \$100.00 for each emission point.
  - (4) The fees required by this section shall be based on Agency files showing equipment in place or permitted as of January 1 of the current reporting year; and materials, processes, and emission points and segments in use between January 1 and December 31 of the previous year. Items registered under Section 5.07 (b)(2) shall be reported as equipment. Items registered under Section 5.07 (b)(3) shall be reported as materials, processes, and emission points and segments.

**NEW SECTION**

**REGULATION I SECTION 5.10 - ANNUAL SURCHARGE FOR MANDATORY TRAINING PROGRAMS**

(a) The Agency shall levy an annual registration surcharge to defray the cost of state-mandated training of Agency personnel, as follows:

- (1) \$360.00 for each incinerator; and
- (2) \$360.00 for each landfill.

(b) Upon assessment by the Agency, this annual registration surcharge is due and payable and shall be deemed delinquent if not fully paid within 60 days.

**AMENDATORY SECTION**

**REGULATION I SECTION 6.04 FILING FEES - NOTICE OF CONSTRUCTION**

The Agency shall not commence processing of a Notice of Construction and Application for Approval until it has received a filing fee of \$50.00, plan examination and inspection fees as shown in Table A, and, if offsetting emission reductions are required, an offset analysis fee of \$500.00 per ton.

TABLE A

(a) Fuel Burning Equipment:

Million Btu per Hour Input (Design)	Plan Examination and Inspection Fee	
	Installation or use of Waste-Derived Fuel	Fuel Change to a Non-Waste-Derived Fuel
less than 5.0	( <del>(\$65.00)</del> ) \$ 100.00	( <del>(\$20.00)</del> ) \$ 50.00
5.0 or more but less than 10.0	( <del>(+30.00)</del> ) 200.00	( <del>(45.00)</del> ) 100.00
10.0 or more but less than 20.0	( <del>(200.00)</del> ) 300.00	( <del>(65.00)</del> ) 150.00



Million Btu per Hour Input (Design)	Plan Examination and Inspection Fee	
	Installation or use of Waste-Derived Fuel	Fuel Change to a Non-Waste-Derived Fuel
20.0 or more but less than 50.0	<del>((260.00))</del> 400.00	<del>((90.00))</del> 200.00
50.0 or more but less than 100.0	<del>((400.00))</del> 500.00	<del>((130.00))</del> 250.00
100.0 or more but less than 250.0	<del>((525.00))</del> 800.00	<del>((175.00))</del> 400.00
250.0 or more but less than 500.0	<del>((700.00))</del> 1,000.00	<del>((210.00))</del> 500.00
500.0 or more	<del>((900.00))</del> 1,500.00	<del>((270.00))</del> 750.00

- (i) Source with Significant Impact [see tables in Section 6.08(b)(8)] ~~((5-500.00))~~  
\$1,000.00
- (j) Opacity/Grain Loading Correlation [see Section 9.09(e)] \$1,000.00

Reviser's note: The brackets and enclosed material in the text of the above material occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

**WSR 91-18-066**  
**NOTICE OF PUBLIC MEETINGS**  
**TRANSPORTATION IMPROVEMENT BOARD**  
 [Memorandum—August 30, 1991]

SPECIAL MEETING NOTICE FOR  
 SEPTEMBER 1991  
 TRANSPORTATION IMPROVEMENT BOARD  
 TRANSPORTATION BUILDING  
 OLYMPIA, WASHINGTON 98504-0901

Work session, 7:00 p.m., Thursday, September 19, 1991, in Ellensburg, at the Thunderbird Motel, 403 West 8th.

TIB meeting, 9:00 a.m., Friday, September 20, 1991, in Ellensburg, at the Thunderbird Motel, 403 West 8th.

The next scheduled meeting is October 18, 1991, in Redmond. A notice with additional detail for the October meeting will be mailed on September 27, 1991.

(b) Actual Cubic Feet per Minute (ACFM) from control equipment or from uncontrolled process equipment:

less than 5,000	\$ 100.00
5,000 or more but less than <del>((20,000))</del> 10,000	200.00
<del>((20,000))</del> 10,000 or more but less than <del>((50,000))</del> 20,000	300.00
<del>((50,000))</del> 20,000 or more but less than <del>((100,000))</del> 50,000	400.00
<del>((100,000))</del> 50,000 or more but less than <del>((250,000))</del> 100,000	500.00
<del>((250,000))</del> 100,000 or more but less than <del>((500,000))</del> 250,000	<del>((675.00))</del> 800.00
<del>((500,000))</del> 250,000 or more	<del>((800.00))</del> 1,000.00

(c) Refuse Burning Equipment:

Rated at 12 tons per day or less without hydrochloric acid control apparatus	<del>((5-100.00))</del> \$ 200.00
Rated at 12 tons per day or less with hydrochloric acid control apparatus	<del>((500.00))</del> 1,000.00
Rated at greater than 12 tons per day but less than 250 tons per day	<del>((1,000.00))</del> 2,000.00
Rated at 250 tons per day or greater	<del>((2,500.00))</del> 5,000.00

(d) Storage Tanks, Reservoirs, or Containers, ~~((liters (gallons approx.)))~~ gallons:

More than <del>((3,780 (1,000)))</del> 1,000 but less than <del>((150,000 (40,000)))</del> 4,000	<del>((565.00))</del> \$ 80.00
More than <del>((150,000 (40,000)))</del> 4,000 but less than <del>((500,000 (132,090)))</del> 20,000	<del>((130.00))</del> 160.00
More than <del>((500,000 (132,090)))</del> 20,000 but less than <del>((5,000,000 (1,320,900)))</del> 40,000	200.00
More than <del>((5,000,000 (1,320,900)))</del> 40,000 but less than 1,000,000	<del>((260.00))</del> 300.00
More than 1,000,000	400.00

(e) Gasoline Station

Stage 1	<del>((5-65.00))</del> \$ 80.00
Stage 2	80.00

(f) Other, not classified in Subsections (a), (b), (c), (d), or (e) above \$100.00

(g) Plan examination and inspection fees for Notices of Construction for portable asphalt batch plants or rock crushers being located within the jurisdictional boundaries of the Agency shall be one-half of the above fees; provided that the batch plant or rock crusher was previously inspected and approved by the Agency and no change has been made in the type, model capacity or efficiency of equipment or control apparatus and there has been no change in the air contaminant emission rates.

(h) Toxic Air Contaminant (if ASIL is exceeded) ~~((5-100.00))~~  
\$ 200.00

**WSR 91-18-067**  
**PROPOSED RULES**  
**FOREST PRACTICES BOARD**  
 [Filed September 3, 1991, 3:52 p.m.]

Continuance of WSR 91-13-072.

Title of Rule: Forest practices rules and regulations, Title 222 WAC.

Purpose: To allow additional time before adoption to consider public comment that has been received.

Date of Intended Adoption: October 9, 1991.

August 29, 1991  
 Brian Boyle  
 Chairman  
 Commissioner of  
 Public Lands

**WSR 91-18-068**  
**PROPOSED RULES**  
**FOREST PRACTICES BOARD**  
 [Filed September 3, 1991, 3:55 p.m.]

Original Notice.

Title of Rule: Forest practices rules and regulations, WAC 222-16-010.

Purpose: To provide a definition of "forest trees" in forest practices rules so that culture of trees for fiber production using agriculture methods and land would not be subject to forest practices regulation.

Statutory Authority for Adoption: RCW 76.09.040, 76.09.050, and chapter 34.05 RCW.

Statute Being Implemented: Chapter 76.09 RCW.

Summary: Excludes trees grown in harvest cycles shorter than ten years on agricultural land, using agricultural methods, from regulation under forest practices rules, Title 222 WAC.

Reasons Supporting Proposal: The practices affected by this proposal are agricultural in nature and should be treated as agricultural, not forest, practices.

Name of Agency Personnel Responsible for Drafting: Edward R. Summerfield, 1007 South Washington, Mailstop EL-03, Olympia, WA 98504, (206) 753-5315; Implementation: Jack Hulsey, Manager, Forest Practices Division, Mailstop EL-03, Olympia, Washington, (206) 753-5315; and Enforcement: Forest Practices Foresters in 7 regions of Department of Natural Resources.

Name of Proponent: Forest Practices Board, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This amendment will provide a definition of "forest trees" in forest practices rules, WAC 222-16-010, so that the culture of trees for fiber production using agricultural methods, and harvest of the trees in growing cycles shorter than ten years would be regulated as agricultural practices rather than forest practices under forest practices rules, Title 222 WAC. Adoption of the definition would facilitate the shift from other row crops or pasture to trees for fiber production, and, in some cases, the conversion of other land not in forest use to fiber production in short rotation tree crops.

Proposal Changes the Following Existing Rules: Adds definition of "forest trees" to WAC 222-16-010.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

This rule will not have an economic impact on over 20% of all industries or on more than 10% of any one industry. The rule changes can benefit the small landowner. Any owner of agricultural land who found that growing the crop affected by this proposal to be economically beneficial would not be hindered by the provisions of the forest practices rules, Title 222 WAC.

Hearing Location: October 15, 1991, at 7:00 p.m., Pasco Public Library, 1320 West Hopkins, Pasco, WA; and on October 17, 1991, at 7:00 p.m., Lower Columbia College, 1600 Maple Street, Longview, WA.

Submit Written Comments to: Edward R. Summerfield, 1007 South Washington, Mailstop EL-03, Olympia, WA 98504, by October 28, 1991.

Date of Intended Adoption: December 17, 1991.

August 29, 1991

Brian Boyle

Chairman

Commissioner of

Public Lands

**AMENDATORY SECTION** (Amending Order 551, Resolution No. 88-1, filed 9/21/88, effective 11/1/88)

WAC 222-16-010 GENERAL DEFINITIONS.\* Unless otherwise required by context, as used in these regulations:

((+)) "Act" means the Forest Practices Act, chapter 76.09 RCW.

((+)) "Affected Indian tribe" means any federally recognized Indian tribe that requests in writing from the department information on forest practices applications and notification filed on specified areas.

((+)) "Appeals board" means the forest practices appeals board established in the act.

((+)) "Board" means the forest practices board established by the act.

((+)) "Borrow pit" shall mean an excavation site outside the limits of construction to provide material necessary to that construction, such as fill material for the embankments.

((+)) "Chemicals" means substances applied to forest lands or timber to accomplish specific purposes and includes pesticides, insecticides, rodenticides, plant-growth regulators, fungicides, fertilizers, desiccants, fire retardants when used in controlled burning, repellents, oil, dust-control agents (other than water), salt and other materials that may present hazards to the environment.

((+)) "Commercial tree species" means any species which is capable of producing a merchantable stand of timber on the particular site, or which is being grown as part of a Christmas tree or ornamental tree-growing operation.

((+)) "Completion of harvest" means the latest of:

((+)) Completion of removal of timber from the portions of forest lands harvested in the smallest logical unit that will not be disturbed by continued logging or an approved slash disposal plan for adjacent areas; or

((+)) Scheduled completion of any slash disposal operations where the department and the applicant agree within 6 months of completion of yarding that slash disposal is necessary or desirable to facilitate reforestation and agree to a time schedule for such slash disposal; or

((+)) Scheduled completion of any site preparation or rehabilitation of adjoining lands approved at the time of approval of the application or receipt of a notification: PROVIDED, That delay of reforestation under this ((subsection (+))) paragraph is permitted only to the extent reforestation would prevent or unreasonably hinder such site preparation or rehabilitation of adjoining lands.

((+)) "Contamination" means the introducing into the atmosphere, soil, or water, sufficient quantities of substances as may be injurious to public health, safety or welfare, or to domestic, commercial, industrial, agriculture or recreational uses, or to livestock, wildlife, fish or other aquatic life.

((+)) "Conversion option harvest plan" means a plan developed by the landowner and approved by the local government entity indicating the limits of harvest areas, road locations, and open space.

"Conversion to a use other than commercial timber operation" shall mean a bona fide conversion to an active use which is incompatible with timber growing.

((+)) "Critical wildlife habitat" means the habitat of any threatened or endangered species, as such habitat is established by the board in the forest practices board manual, or other situations as identified by the board, after consultation with the department of wildlife, where specific management practices are needed to prevent critical wildlife habitat destruction.

((+)) "Cultural resources" means archaeological and historic sites and artifacts and traditional religious, ceremonial and social uses and activities of affected Indian tribes.

((+)) "Debris" means woody vegetative residue less than 3 cubic feet in size resulting from forest practice activities which would reasonably be expected to cause significant damage to a public resource.

((+)) "Department" means the department of natural resources.

((+)) "End hauling" means the removal and transportation of excavated material, pit or quarry overburden, or landing or road cut material from the excavation site to a deposit site not adjacent to the point of removal.

((+)) "Erodible soils" means those soils exposed or displaced by a forest practice operation, that would be readily moved by water.

((+)) "Fertilizers" means any substance or any combination or mixture of substances used principally as a source of plant food or soil amendment.

((+)) "Flood level - 50 year." For purposes of field interpretation of these regulations, the 50-year flood level shall be considered to refer to a vertical elevation measured from the ordinary high-water mark which is 1.25 times the vertical distance between the average stream bed and the ordinary high-water mark, and in horizontal extent shall not exceed 2 times the channel width measured on either side from the ordinary high-water mark, unless a different area is specified by the department based on identifiable topographic or vegetative features or based on an engineering computation of flood magnitude that has a 2

percent chance of occurring in any given year. The 50-year flood level shall not include those lands that can reasonably be expected to be protected from flood waters by flood control devices maintained by or under license from the federal government, the state, or a political subdivision of the state.

((19)) "Forest land" means all land which is capable of supporting a merchantable stand of timber and is not being actively used for a use which is incompatible with timber growing.

((20)) "Forest land owner" shall mean any person in actual control of forest land, whether such control is based either on legal or equitable title, or on any other interest entitling the holder to sell or otherwise dispose of any or all of the timber on such land in any manner: PROVIDED, That any lessee or other person in possession of forest land without legal or equitable title to such land shall be excluded from the definition of "forest land owner" unless such lessee or other person has the right to sell or otherwise dispose of any or all of the timber located on such forest land.

((21)) "Forest practice" means any activity conducted on or directly pertaining to forest land and relating to growing, harvesting, or processing timber, including but not limited to:

- ((a)) Road and trail construction;
- ((b)) Harvesting, final and intermediate;
- ((c)) Precommercial thinning;
- ((d)) Reforestation;
- ((e)) Fertilization;
- ((f)) Prevention and suppression of diseases and insects;
- ((g)) Salvage of trees; and
- ((h)) Brush control.

"Forest practice" shall not include: Preparatory work such as tree marking, surveying and road flagging; or removal or harvest of incidental vegetation from forest lands such as berries, ferns, greenery, mistletoe, herbs, mushrooms, and other products which cannot normally be expected to result in damage to forest soils, timber or public resources.

"Forest trees" excludes trees cultivated by agricultural methods in growing cycles shorter than ten years: PROVIDED, That Christmas trees are forest trees and: PROVIDED FURTHER, That this exclusion applies only to trees planted on land that was not in forest use immediately before the trees were planted and before the land was prepared for planting the trees.

((22)) "Herbicide" means any substance or mixture of substances intended to prevent, destroy, repel, or mitigate any tree, bush, weed or algae and other aquatic weeds.

((23)) "Historic site" includes:

((a)) Sites, areas and structures or other evidence of human activities illustrative of the origins, evolution and development of the nation, state or locality; or

((b)) Places associated with a personality important in history; or

((c)) Places where significant historical events are known to have occurred even though no physical evidence of the event remains.

((24)) "Insecticide" means any substance or mixture of substances intended to prevent, destroy, repel, or mitigate any insect, other arthropods or mollusk pests.

((25)) "Interdisciplinary team" (ID Team) means a group of varying size comprised of individuals having specialized expertise, assembled by the department to respond to technical questions associated with a proposed forest practice activity.

((26)) "Limits of construction" means the area occupied by the completed roadway or landing, including the cut bank, fill slope, and the area cleared for the purpose of constructing the roadway or landing.

((27)) "Load bearing portion" means that part of the road, landing, etc., which is supportive soil, earth, rock or other material directly below the working surface and only the associated earth structure necessary for support.

"Local government entity" means the governments of counties and the governments of cities and towns as defined in chapter 35.01 RCW.

((28)) "Merchantable stand of timber" means a stand of trees that will yield logs and/or fiber:

((a)) Suitable in size and quality for the production of lumber, plywood, pulp or other forest products.

((b)) Of sufficient value at least to cover all the costs of harvest and transportation to available markets.

((29)) "Notice to comply" means a notice issued by the department pursuant to RCW 76.09.090 of the act and may require initiation

and/or completion of action necessary to prevent, correct and/or compensate for material damage to public resources which resulted from forest practices.

((30)) "Operator" shall mean any person engaging in forest practices except an employee with wages as his sole compensation.

((31)) "Ordinary high-water mark" means the mark on the shores of all waters, which will be found by examining the beds and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland, in respect to vegetation: PROVIDED, That in any area where the ordinary high-water mark cannot be found, the ordinary high-water mark adjoining saltwater shall be the line of mean high tide and the ordinary high-water mark adjoining freshwater shall be the line of mean high-water.

((32)) "Park" means any park included on the parks register maintained by the department pursuant to WAC 222-20-100(2). Developed park recreation area means any park area developed for high density outdoor recreation use.

((33)) "Partial cutting" means the removal of a portion of the merchantable volume in a stand of timber so as to leave an uneven-aged stand of well-distributed residual, healthy trees that will reasonably utilize the productivity of the soil. Partial cutting does not include seedtree or shelterwood or other types of regeneration cutting.

((34)) "Pesticide" means any insecticide, herbicide or rodenticide but does not include nontoxic repellents or other chemicals.

((35)) "Plantable area" is an area capable of supporting a commercial stand of timber excluding lands devoted to permanent roads, utility rights-of-way, that portion of riparian management zones where scarification is not permitted, and any other area devoted to a use incompatible with commercial timber growing.

((36)) "Power equipment" means all machinery operated with fuel burning or electrical motors, including heavy machinery, chain saws, portable generators, pumps, and powered backpack devices.

((37)) "Public resources" means water, fish, and wildlife and in addition shall mean capital improvements of the state or its political subdivisions.

((38)) "Rehabilitation" means the act of renewing, or making usable and reforesting forest land which was poorly stocked or previously nonstocked with commercial species.

((39)) "Relief culvert" means a structure to relieve surface runoff from roadside ditches to prevent excessive buildup in water volume and velocity.

((40)) "Riparian management zone" means a specified area alongside Type 1, 2 and 3 Waters where specific measures are taken to protect water quality and fish and wildlife habitat.

((41)) "Rodenticide" means any substance or mixture of substances intended to prevent, destroy, repel, or mitigate rodents or any other vertebrate animal which the director of the state department of agriculture may declare by regulation to be a pest.

((42)) "Salvage" means the removal of snags, down logs, windthrow, or dead and dying material.

((43)) "Scarification" means loosening the topsoil and/or disrupting the forest floor in preparation for regeneration.

((44)) "Side casting" means the act of moving excavated material to the side and depositing such material within the limits of construction or dumping over the side and outside the limits of construction.

((45)) "Shorelines of the state" shall have the same meaning as in RCW 90.58.030 (Shoreline Management Act).

((46)) "Skid trail" means a route used by tracked or wheeled skidders to move logs to a landing or road.

((47)) "Slash" means pieces of woody material containing more than 3 cubic feet resulting from forest practice activities.

((48)) "Spoil" means excess material removed as overburden or generated during road or landing construction which is not used within limits of construction.

((49)) "Stop work order" means the "stop work order" defined in RCW 76.09.080 of the act and may be issued by the department to stop violations of the forest practices chapter or to prevent damage and/or to correct and/or compensate for damages to public resources resulting from forest practices.

((50)) "Threatened or endangered species" applies to all species of wildlife listed as "threatened" or "endangered" by the United States Fish and Wildlife Service, except any species which the Washington department of wildlife determines does not require special protection under the Forest Practices Act because conservation of the species is reasonably assured through a recovery and enhancement program or

existence of an adequate population on lands where commercial forestry and land development are prohibited, or through other means. For this purpose, "wildlife" means all members of the animal kingdom except insects and benthic organisms.

((51)) "Timber" shall mean forest trees, standing or down, of a commercial species, including Christmas trees.

((52)) "Water bar" means a diversion ditch and/or hump in a trail or road for the purpose of carrying surface water runoff into the vegetation duff, ditch, or other dispersion area so that it does not gain the volume and velocity which causes soil movement and erosion.

((53)) "Weed" is any plant which tends to overgrow or choke out more desirable vegetation.

((54)) "Windthrow" means a natural process by which trees are uprooted or sustain severe trunk damage by the wind.

**WSR 91-18-069**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**RETIREMENT SYSTEMS**  
[Filed September 3, 1991, 4:17 p.m.]

**Original Notice.**

**Title of Rule:** A rule relating to exception from public employees retirement system membership for students or spouses of students working in PERS eligible positions.

**Purpose:** To implement RCW 41.40.170(7) which governs exception from PERS membership for students or spouses of students who are attending institutions of higher education and working in PERS eligible positions.

**Statutory Authority for Adoption:** RCW 41.50.050.

**Statute Being Implemented:** RCW 41.40.170(7).

**Summary:** This rule is proposed to implement RCW 41.40.170(7) which governs exception from PERS membership for students or spouses of students who are attending and working at an institution of higher education in furtherance of their education.

**Name of Agency Personnel Responsible for Drafting:** Hector Gonzalez, Manager, Legislative/Legal Affairs, Department of Retirement Systems, 1025 East Union, Olympia, WA, (206) 586-3414; **Implementation:** George Northcroft, Director, Department of Retirement Systems, 1025 East Union, Olympia, WA, (206) 753-5281; and **Enforcement:** Jean Wilkinson, Assistant Attorney General, Office of Attorney General, Highways-Licenses Building, Olympia, Washington, (206) 753-0224.

**Name of Proponent:** Department of Retirement Systems, governmental.

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

**Explanation of Rule, its Purpose, and Anticipated Effects:** This rule is proposed to implement RCW 41.40.170(7) which governs exception from PERS membership for students or spouses of students attending institutions of higher education and working in higher education institutions in PERS eligible positions in furtherance of their education. The rule will ensure consistent treatment of students and spouses of students who are working in PERS eligible positions.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

**Hearing Location:** Department of Retirement Systems, 402 Legion Way, Room 101, Olympia, WA, on October 15, 1991, at 10:00 a.m.

**Submit Written Comments to:** Hector Gonzalez, Manager, Legislative/Legal Affairs, Department of Retirement Systems, 1025 East Union, Olympia, WA 98504, by October 4, 1991.

**Date of Intended Adoption:** October 18, 1991.

August 2, 1991  
George Northcroft  
Director

NEW SECTION

**WAC 415-108-520 MEMBERSHIP EXCEPTIONS—STUDENT AND SPOUSE OF STUDENT.** (1) A person employed by a Washington state institution of higher education or community college (employer), who is employed at such institution or college primarily for the purpose of furthering her/his education or the education of the person's spouse, is excepted from membership in PERS when:

(a) The person is a full-time student or the spouse of a full-time student; and

(b) The person is employed at the same institution where she/he is a full-time student or where the person's spouse is a full-time student; and

(c) The person determines her/his employment is primarily an incident to and in furtherance of her/his education or training, or the education or training of the person's spouse.

(2) For the purposes of this section, RCW 41.40.120(7) shall be administered as follows:

(a) When a person begins employment in a PERS eligible position, a determination shall be made by the person as to whether the provisions of this section apply. If this section applies to the person, she/he shall determine her/his membership status as either being excepted from membership in PERS, or being a member of PERS, based upon whether employment at the institution of higher education or community college is primarily as an incident to and in furtherance of her/his education or training, or the education or training of the person's spouse. The person shall notify the employer in writing of her/his determination of membership status no later than two months after commencing employment in a PERS eligible position. Based upon the provisions herein and the written notification of status, the person shall either be excepted from membership in PERS or become a member of PERS. In the event that no written notification of status is provided to the employer, based upon the provisions of this section, the employer shall make the presumption:

(i) that the person shall remain a member of PERS where the person is employed in a PERS eligible position and is a member of PERS at the time the person, or his or her spouse, becomes a full-time student;

(ii) that the person shall be excepted from PERS membership where the person or the person's spouse is a full-time student at the time of becoming employed in a PERS eligible position.

(b) A person employed in a PERS eligible position at the time of becoming a full-time student or becoming the spouse of a full-time student, shall remain a member of PERS; except, at the time of becoming a full-time student or becoming the spouse of a full-time student, the person may elect to waive her/his membership in PERS, based upon the provisions of this section excepting membership. The person must provide written notification of the waiver to the employer. If the person elects to waive membership in PERS, she/he cannot later elect membership in PERS unless there is a change of status of the person or of the person's spouse, as set forth below, and the employer has received written notification from the person of the change of status.

(c) A person who is a full-time student or who is the spouse of a full-time student at the time of becoming employed in a PERS eligible position, shall not be eligible for membership in PERS; except, at the time of becoming employed in a PERS eligible position, the person may elect to become a member of PERS, based upon the person's determination that the provisions of this section excepting membership do not apply. The person must provide written notification of the election to be a member of PERS to the employer. If the person elects to

become a member of PERS, she/he cannot later waive PERS membership unless there is a change of status of the person or of the person's spouse, as set forth below, and the employer has received written notification from the person of the change of status.

(d) For purposes of this section, status is defined as:

(i) student status - is full-time student, part-time student or non-student. Part-time student and non-student status do not meet the threshold for exception from PERS; only full-time student status meets the threshold:

(ii) employment status - is employment in a PERS eligible position, employment in a PERS ineligible position, or unemployment. Unemployment refers to termination of employment from a Washington state institution of higher education or community college employer;

(iii) marital status - is single, married, widowed or divorced.

(3) The Department shall rely upon the institutions of higher education and community college employers to:

(a) notify each person, at the time of hire, of the provisions of this section;

(b) request all written notifications from persons electing membership or waiving membership under this section;

(c) retain and make available to the Department upon request, all written notifications electing membership or waiving membership on a sixty-four year record retention schedule.

(4) It is recommended, but not required, that no less than annually employers provide notice that employees are required to notify the employer of any change in status as set forth in this section.

**WSR 91-18-070**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**RETIREMENT SYSTEMS**  
[Filed September 3, 1991, 4:19 p.m.]

**Original Notice.**

**Title of Rule:** A rule relating to teachers' retirement system Plan I, (TRS I) retirees who return to work.

**Purpose:** To implement RCW 41.32.570 governing public school employment for TRS I retirees, by adding new sections to chapter 415-112 WAC.

**Statutory Authority for Adoption:** RCW 41.50.050 and 41.32.570.

**Statute Being Implemented:** RCW 41.32.570.

**Summary:** To add new sections and new language to existing sections of chapter 415-112 WAC relating to TRS I retirees returning to work for a public educational institution.

**Reasons Supporting Proposal:** Current rules governing the situation are unclear and inconsistent with the way that information is reported to the Department of Retirement Systems.

**Name of Agency Personnel Responsible for Drafting:** Hector Gonzalez, Manager, Legislative/Legal Affairs, Department of Retirement Systems, 1025 East Union, Olympia, WA, (206) 586-3414; **Implementation:** George Northcroft, Director, Department of Retirement Systems, 1025 East Union, Olympia, WA, (206) 753-5281; and **Enforcement:** Jean Wilkinson, Office of Attorney General, Highways-Licenses Building, Olympia, Washington, (206) 753-0224.

**Name of Proponent:** Department of Retirement Systems, governmental.

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

**Explanation of Rule, its Purpose, and Anticipated Effects:** The rule clearly defines the effect of teachers' retirement system (TRS) Plan I retiree's return to work

for a public educational institution or other pension benefit. The purpose is to clarify the administration of RCW 41.32.570. The anticipated effect will be a more understandable system where teachers, employers and the Department of Retirement Systems will have a better understanding of their rights and responsibilities. The rule also changes the definition of school day for active members from six hours to seven hours. This is more consistent with the school district practice and gives the department the same definition for school day for both active and retired members.

**Proposal Changes the Following Existing Rules:** The proposal deletes some existing WAC language that has proved difficult to administer. It also changes the definition of the length of a school day for active members so that school day is defined as 7 hours for both active members and retirees.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

**Hearing Location:** Department of Retirement Services, 402 Legion Way, Room 101, Olympia, WA, on October 15, 1991, at 10:00 a.m.

**Submit Written Comments to:** Hector Gonzalez, Manager, Legislative/Legal Affairs, Department of Retirement Systems, ES-11, 1025 East Union, Olympia, WA 98504, by October 4, 1991.

**Date of Intended Adoption:** October 18, 1991.

August 2, 1991  
George Northcroft  
Director

**AMENDATORY SECTION** (Amending Order 88-13, filed 8/17/88)

**WAC 415-112-330 AMOUNT OF SERVICE CREDIT.** (1) This section shall apply only to persons who became members prior to October 1, 1977.

(2) For members who are employed as classroom teachers by a school district, a school year shall consist of one hundred eighty days. One year of service credit shall be granted to a member who is employed as a classroom teacher for one hundred forty-four or more days during a school year. A fractional year of credit shall be granted to a member who is employed for at least twenty days but less than one hundred forty-four days during a school year. The fraction shall be that produced by using the days employed as the numerator and one hundred eighty as the denominator. In the absence of an indication in the contract or elsewhere concerning what constitutes one day of employment, a classroom teacher shall be granted one day of credit for every ((six)) seven hours the teacher works and for which the teacher is compensated.

(3) For members who are employed as community college academic employees as defined by chapter 28B.52 RCW, a school year shall consist of at least three academic quarters or two semesters during a fiscal year. Academic employees shall be granted one full year of service credit for eighty percent of the full-time annual load as defined in their institution's negotiated agreement. In the absence of a definition of full-time annual load in the agreement, the official board-adopted college policy will apply. Percents of load of at least eleven percent (reported as not less than twenty days per fiscal year) and less than eighty percent (reported as eighty percent of the individual college academic calendar or one hundred thirty-four days per fiscal year, whichever is greater) will be applied pro rata. Percent of load will be converted to days for institution reporting and for retirement benefit calculation purposes. Nonacademic employees will have their service credit reported and benefits calculated based on actual days worked. Where there is no definition of full-time load in either the collective bargaining agreement or the official board-adopted college policy, service credit will be calculated pursuant to subsections (4) and (5) of this section.

(4) For members who are employed as community college classroom instructors, a school year shall consist of at least three academic

quarters or two semesters during a fiscal year. Such a classroom instructor shall be granted one year of service credit for teaching thirty-six quarter hours or twenty-four semester hours. A fractional year of credit shall be granted to such instructors who teach at least five but less than thirty-six quarter hours, or at least three but less than twenty-four semester hours. The fraction shall be that produced by using the quarter hours taught as the numerator and forty-five as the denominator, or the semester hours taught as the numerator and thirty as the denominator.

(5) Members who are not employed as classroom instructors and who are employed for one hundred forty-four or more days during a fiscal year shall be granted one year of service credit. A fractional year of credit shall be granted to a member who is employed for at least twenty days but less than one hundred forty-four days. The credit granted shall be the fraction produced by using the days employed as the numerator and one hundred eighty as the denominator. Where there is no indication in the contract or elsewhere concerning what constitutes one day of employment, one day of credit shall be granted for every eight hours the member works and for which the member is compensated: PROVIDED, That counselors and librarians who are employed by a community college district in an instructional position as defined in RCW 41.32.010 (11)(a)(ii) and paid on an hourly rate shall be granted one day of credit for every seven hours the member works and for which the member is compensated.

(6) The fact that a member is granted a fractional year of service credit under this section shall not be determinative as to whether that member was employed less than full time in a year used to determine benefits under RCW 41.32.497, 41.32.498, and 41.32.520, for purposes of determining whether the member held a bona fide part-time position and what earnable compensation the member would have received under RCW 41.32.011.

#### NEW SECTION

WAC 415-112-515 A member of the teacher's retirement system Plan I enters retirement status when he or she:

- (1) Has terminated all public school employment in the state of Washington;
- (2) Has no written agreement to return to public school employment; and
- (3) Has received his or her first monthly retirement payment.

#### NEW SECTION

WAC 415-112-535 For purposes of administering RCW 41.32.570 governing return to public school employment for teachers' retirement system Plan I retirees, the department shall utilize the following definitions:

- (1) "Day" means seven compensated hours;
- (2) "Pension benefit" means that portion of a retiree's monthly retirement allowance that is funded by the state of Washington and the retiree's former employer or employers;
- (3) "Public educational institution" means a school district, the state school for the deaf, the state school for the blind, educational service districts, institutions of higher education, or community colleges;
- (4) "Retirement allowance" has the same meaning as in RCW 41.32.010(25);
- (5) "School year" means the fiscal year running from July 1 to June 30;
- (6) "Seventy-five days" means five hundred twenty-five cumulative compensated hours.

#### AMENDATORY SECTION (Amending Order IV, filed 2/15/78)

WAC 415-112-540 EMPLOYMENT IN PUBLIC EDUCATION LIMITED FOR RETIREES: (1) A retiree who returns to any type of service with any public educational institution shall be considered to be employed throughout the time during which he or she is engaged in such service or is under contract for such employment, even though ((he) the retiree does not return to membership in the teachers' retirement system. ((If a retiree's service in public education exceeds the maximum permitted under RCW 41.32.570 without reduction of pension, his monthly pension shall be reduced by one twentieth for each day of service rendered beyond the statutory maximum. If a retiree continues in service until he is no longer eligible for monthly pension payments, further pension payments shall be withheld and may not be restored until he terminates his employment in public education and further contracts, written or oral, for continuing employment in

public education. Any retiree whose pension payments have been terminated because of employment in public education shall be considered as employed during the summer months if under contract for consecutive school years, and he shall, therefore, not be eligible for pension payments during the summer months. Pension payments shall be resumed effective the day following termination of his employment in public education:))

(2) The employer of a teachers' retirement system Plan I retiree must notify the teachers' retirement system when that retiree exceeds seventy-five days of employment for a public educational institution during a school year.

(3) If the retiree is employed under a written contract and is employed by a public educational institution for more than seventy-five days during a school year, the retiree's pension benefits cease. Any pension benefits paid to the retiree after he or she has been employed for more than seventy-five days in a school year will be treated as an overpayment by the department.

(4) If the retiree is employed by a public educational institution as a substitute and is employed for more than seventy-five days during a school year, the retiree's monthly pension benefit will be reduced by five percent for each day of employment beyond the seventy-five day limit until the monthly pension benefit is reduced to zero. Any pension benefits paid in excess of the amount allowed by this subsection will be treated as an overpayment by the department.

(5) A retiree's original monthly retirement allowance will be reinstated the day following termination of employment in a public educational institution, or at the end of the school year, whichever comes first.

(6) A teacher's Plan I retiree who enters the employment of a public educational institution may elect to return to membership. In that case the retiree's monthly retirement allowance will cease as of the first of the month that the member enters employment.

(7) Service as an independent contractor for a public educational institution shall not be considered employment for purposes of this section.

## WSR 91-18-071

### PROPOSED RULES

### EMPLOYMENT SECURITY DEPARTMENT

[Filed September 4, 1991, 10:20 a.m.]

#### Original Notice.

Title of Rule: Independent contractor definitions.

Purpose: To define terms used in RCW 50.04.140 as amended by chapter 246, Laws of 1991.

Other Identifying Information: The hearings for this proposed rule will be held in conjunction with Department of Labor and Industries hearings on related labor and industries proposed rules.

Statutory Authority for Adoption: RCW 50.12.010 and 50.12.040.

Statute Being Implemented: Chapter 246, Laws of 1991.

Summary: Definition of terms "principal place of business from which the service is performed" and "effective date of contract of services" as used in RCW 50.04.140 as amended by chapter 246, Laws of 1991.

Reasons Supporting Proposal: To provide consistent definitions between Department of Labor and Industries and Employment Security Department.

Name of Agency Personnel Responsible for Drafting: Robert Wagner, 212 Maple Park, Olympia, WA, (206) 586-4683; Implementation and Enforcement: Marie Brillante, Assistant Commissioner, UI, 212 Maple Park, Olympia, WA, (206) 753-5120.

Name of Proponent: Employment Security Department, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Chapter 246, Laws of 1991, amended independent contractor definitions for the Employment Security Department and the Department of Labor and Industries. Joint hearings will be held with the intention of adoption of identical rules to provide more uniform coverage.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

The proposed rules have a minor or negligible economic impact on businesses. The rules simply define terms amended law.

Hearing Location: Department of Labor and Industries, Second Floor Conference Room, Building 3, 905 Plum Street S.E., Olympia, WA 98504, on Friday, October 18, 1991, at 9:00 a.m.; and at the Ponderosa Room, 2nd Floor, Employment Security Department, Spokane Job Service Center, South 130 Arthur Street, Spokane, WA 98220, on Monday, October 14, 1991, at 1:00 p.m.

Submit Written Comments to: Wm. Eric Jordan, Rules Coordinator, Employment Security Department, 212 Maple Park, Mailstop KG-11, Olympia, WA 98504, by October 18, 1991.

Date of Intended Adoption: November 18, 1991.

September 3, 1991

Vernon E. Stoner  
Commissioner

#### NEW SECTION

WAC 192-12-380 DEFINITIONS RELATING TO RCW 50.04.140. For the purposes of RCW 50.04.140:

(1) "Principal place of business from which the service is performed" shall be the physical location of the business from which the contract of service is directed and controlled.

(2) "Within a reasonable period" for establishing an account with state agencies shall be the time prior to the first date on which the individual begins performance of service toward the contract or the date upon which the individual is required to establish an account with a state agency, as otherwise required by law, whichever event shall last occur.

#### **WSR 91-18-072**

#### **WITHDRAWAL OF PROPOSED RULES**

#### **DEPARTMENT OF**

#### **NATURAL RESOURCES**

[Filed September 4, 1991, 10:38 a.m.]

The WSR 91-18-059 filed on September 3, 1991, in regards to WAC 332-30-106, 332-30-122, 332-100-030, and 332-100-050 is being withdrawn. We will be re-filing this at a later date.

James A. Stearns  
Department Supervisor

#### **WSR 91-18-073**

#### **EMERGENCY RULES**

#### **DEPARTMENT OF FISHERIES**

[Order 91-79—Filed August 30, 1991, 6:25 p.m.]

Date of Adoption: [No Information Supplied by Agency.]

Purpose: Commercial fishing regulations.

Statutory Authority for Adoption: RCW 75.08.080.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Catches have exceeded the allowable number of dog fish in this area requiring conservation closure for the protection of the resource.

Effective Date of Rule: Immediately.

August 30, 1991

Judith Merchant

Deputy

for Joseph R. Blum

Director

#### NEW SECTION

WAC 220-48-03200A SET LINE SEASONS  
*Notwithstanding the provisions of WAC 220-48-032, effective immediately until further notice it shall be unlawful to take, fish for or possess dog fish for commercial purposes with set line gear in those waters of Marine Fish-Shellfish Catch Reporting Area 22A northerly of a line projected from due west from Rosario Point on Orcas Island (East Sound).*

#### **WSR 91-18-074**

#### **PARKS AND RECREATION**

#### **COMMISSION**

[Filed September 4, 1991, 2:08 p.m.]

Shown below is our agency's draft Strategic Plan for Washington State Parks and the work schedule to complete the plan by December 6, 1991.

During the months of June and July of 1991 we hosted 12 public meetings around the state to seek public responses to our draft. We would like a wider public discussion of our draft through the Register.

Comments on the planning schedule or the plan itself should be sent to: Nina Carter, Legislative Liaison, Washington State Parks and Recreation Commission, 7150 Cleanwater Lane, KY-11, Olympia, WA 98504-5711, (206) 753-6179.

All comments are due to State Parks by Friday, November 15, 1991.



**WASHINGTON STATE PARKS AND RECREATION STRATEGIC PLANNING DRAFT #4**

**INCLUDES VERBAL AND WRITTEN PUBLIC COMMENTS AND INTERNAL WORKTEAM COMMENTS**

**MISSION:**

The Washington State Parks and Recreation Commission acquires, operates, enhances, and conserves a diverse system of recreational, cultural, historical, and natural sites.

The Commission fosters outdoor recreation and education statewide to provide enjoyment and enrichment for all and a valued legacy to future generations.

**VISION:**

**THE PARKS SYSTEM:**

By the year 2010, Washington State Parks will manage a state parks system that:

- \* Is recognized as the finest in the nation
- \* Offers a wide range of recreation experiences to the public
- \* Acquires, operates, enhances and conserves sites with recreational, cultural, historical and natural values
- \* Welcomes visitors from all cultural, ethnic and social backgrounds
- \* Accommodates recreation needs while protecting natural resources
- \* Has attractive, high-quality facilities that reflect both employee pride and public support

**THE AGENCY:**

By the year 2010, Washington State Parks will:

- \* Be recognized for its leadership in outdoor recreation and natural or cultural resource stewardship
- \* Be known as an agency that consists of a culturally and ethnically diverse workforce, considers its employees the best, and supports employee efforts on the job
- \* Achieve success through partnerships with others

**THE PEOPLE:**

Washington's residents and visitors will:

- \* Be satisfied with the outdoor recreation opportunities within the state
- \* Enjoy safe and responsible recreation as a result of State Parks' statewide safety, education and cooperative recreation programs
- \* See the parks system as an opportunity to appreciate our historic, cultural and natural heritage

**STRATEGIC QUESTIONS AND ANSWERS:**

**PARKS AS WASHINGTON GROWS:** How will State Parks respond to the challenges of change . . . population growth, pressure on natural resources and increasing demand for outdoor recreation?

1. State Parks will re-evaluate the position the agency should occupy as it relates to national and local government and private sector recreation. Parks will define the lands and resources we should manage and the recreation uses and facilities we should provide.
2. State Parks will work together with private companies and other organizations to provide recreation opportunities for an increasing population.
3. State Parks will identify and possibly purchase land or significant resources in areas of the state with increased recreation demand. State Parks will also assist local government or citizen groups in identifying or acquiring properties in areas experiencing the most population growth.
4. State Parks will consider placing recreation developments in depressed areas, recognizing that parks and tourism can help economically depressed areas of our state.

**A VARIETY OF VISITORS:** How will the agency address diverse and changing recreational needs and recognize varied populations?

1. State Parks will regularly assess park and recreation demands or trends and special visitor needs, and use this information to change the services and facilities it provides. Parks will give greater value to long term, stable recreation needs, than to short-term recreation fads when planning facilities and services.
2. State Parks will provide multi-lingual literature and signs for its facilities along major tourist corridors and in locations with significant numbers of foreign visitors.
3. State Parks will cooperate with government agencies and the private sector in planning for park and recreation opportunities. While planning, we will communicate as quickly as possible with interest groups and individuals during all phases of our work.
4. As we develop our parks we will separate conflicting uses.
5. State Parks will improve its reservation system to expand services for clients and for ease of use.
6. As a primary provider of camping, State Parks will emphasize developing individual campsites, group camping and special walk-in sites.
7. State Parks will provide access to the parks for those people with limited financial resources or physical abilities.

**INVOLVING THE PUBLIC:** How will State Parks generate public, legislative and customer support for its mission?

1. State Parks will develop a plan to explain the value of our parks for people and their communities.
2. State Parks will inform the legislature and public about the costs of establishing, maintaining and protecting our parks system.
3. State Parks will make public information and education an important part of its daily operations.
4. State Parks will be a leader building alliances and in cooperating with other agencies on park and recreation issues.

- 5. State Parks will ask for public comments when selecting areas and assets to add to the State Parks system.
- 6. State Parks will ask for public comments on park development plans.

**PROTECTING THE PARKS:** How do we provide for protection and wise use of park assets?

- 1. State Parks will thoroughly investigate park assets and develop and maintain a resource stewardship plan for each park. These plans will identify and explain how to care for the assets of each park.
- 2. State Parks will establish acceptable levels of public use. Parks will then develop and implement strategies to accommodate visitors and also conserve park resources and facilities.
- 3. State Parks will educate park visitors and staff in the safe and wise use and protection of the park's resources and facilities.
- 4. State Parks will encourage public transit, group camp use and lower individual car use as appropriate within the state parks system.
- 5. State Parks will inventory and secure our natural, cultural and historic resources to protect them for the future.

**OPERATING THE SYSTEM:** How do we make the best use of our staff and financial resources to manage our parks?

- 1. State Parks will research and advocate new funding sources to be dedicated to its operating and maintenance budgets.
- 2. State Parks will seek ways to provide more balanced use of the parks system by our visitors.
- 3. State Parks will re-examine its services closely and implement self-sufficiency in programs where this can be achieved.
- 4. State Parks will improve and expand its use of volunteers and friends organizations.
- 5. State Parks will increase operating efficiency by coordinating more fully with other public bodies.
- 6. Concession operations will be evaluated by State Parks for efficiently delivering visitor services as well as for their revenue generation.

**ENVIRONMENTAL AWARENESS:** How will State Parks promote environmental awareness to its customers?

- 1. State Parks will promote environmental awareness in its employees and will seek outside advice to ensure its actions are environmentally sound.
- 2. State Parks will promote minimum impact recreation, recycling, innovative facility design and preservation of the natural environment.
- 3. State Parks will apply emerging environmental technology in constructing new or renovating old parks.
- 4. State Parks will provide opportunities for environmental interpretation with schools, volunteers and the public.

**ORGANIZATION IMPROVEMENT:** How will State Parks improve as an organization and better serve the public?

- 1. State Parks will continually evaluate and improve its organization in response to changing workforce and program needs.
- 2. State Parks will encourage decentralized and participative decision-making using the skills and knowledge of its employees to its best advantage.
- 3. State Parks will emphasize clear, concise and timely communication with its employees.
- 4. State Parks will provide a safe and healthy working environment for all its employees.
- 5. State Parks will find additional ways to recognize, encourage and reward innovation and superior performance in its field and headquarters staff.
- 6. State Parks will provide sufficient training opportunities for every employee to enhance job performance, satisfaction and career development.
- 7. State parks will emphasize setting priorities in workload distribution.
- 8. State Parks will encourage and support all employees' participation in wellness programs.
- 9. State Parks will anticipate and communicate to staff new requirements before making decisions about future programs or facilities.

**STRATEGIC PLANNING PROCESS FOR WASHINGTON STATE PARKS**

<u>TASKS</u>	<u>DUE DATE</u>
Mail September agenda report (draft plan) to Commission for review .....	August 30
Send draft out for comments through Washington State register .....	Sept 4
Commission discussion on proposed schedule and draft plan .....	September 13
Commission reviews draft plan and receives public comments at Spokane Commission meeting .....	October 25
Public review period closes.....	November 15
Commission adopts final strategic plan at Tacoma Commission meeting.....	December 6

**WSR 91-18-075  
WITHDRAWAL OF PROPOSED RULES  
DEPARTMENT OF HEALTH  
(Board of Health)**

[Filed September 4, 1991, 2:16 p.m.]

Per request received from the Department of Health, Center for Health Statistics, today, please withdraw WAC 246-491-149 from WSR 91-16-105.

WAC 246-491-149 reads in part, "The department adopts and approves for use in the state of Washington, effective January 1, 1989, the 1988 revisions of the United States standard forms for live birth, death, fetal death, marriage, and dissolution."

This WAC will be proposed and adopted by Department of Health.

Sylvia I. Beck  
Executive Director

**WSR 91-18-076**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**  
[Filed September 4, 1991, 2:17 p.m.]

**Original Notice.**

Title of Rule: Manual of rules, classifications, rates and rating system for Washington workers' compensation insurance, chapter 296-17 WAC.

Purpose: Add six WAC definitions for administration of legislation adopted by 1991 legislative session regarding corporate officer exemption and independent contractor exemption. Delete WAC conflicting with new legislation on corporate officer exemption.

Statutory Authority for Adoption: RCW 51.04.020(1).

Statute Being Implemented: RCW 51.16.035.

Summary: Define terms to eliminate misinterpretation thereby reducing compliance problems.

Reasons Supporting Proposal: Add six WAC definitions for administration of legislation adopted by 1991 legislative session regarding corporate officer exemption and independent contractor exemption. Delete WAC conflicting with new legislation on corporate officer exemption.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Doug Connell, Mary Pat Frederick, Doug Mathers, 905 Plum Street, Olympia, 586-8401.

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

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

Explanation of Rule, its Purpose, and Anticipated Effects: Definitions to new RCWs are intended to eliminate misinterpretation, and, therefore, reduce compliance issues which result in appeals board and superior court hearings. Deletion of existing WAC which subject has been addressed in new RCW.

Proposal Changes the Following Existing Rules: Add six WAC definitions for administration of legislation adopted by 1991 legislative session regarding corporate officer exemption and independent contractor exemption. Delete WAC conflicting with new legislation on corporate officer exemption.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

The six definitions added do not have a significant impact on small businesses in this state. Elimination of WAC 296-17-349 does not alter reporting requirements, but the new RCW eliminates the need for the WAC.

Hearing Location: October 14, 1991, at 1:00 p.m., Spokane Job Service Center, Employment Security Department, Ponderosa Room, South 130 Aurthur Street, Spokane, WA 99220; and on October 18, 1991, at 9:00 a.m., Building 3, 2nd Floor Conference [Room], 905 Plum Street S.E., Olympia, 98504.

Submit Written Comments to: Doug Connell, Assistant Director, 905 Plum Street S.E., Olympia, WA 98504, by October 19, 1991.

Date of Intended Adoption: November 29, 1991.

September 4, 1991  
Joseph A. Dear  
Director

**AMENDATORY SECTION** (Amending WSR 91-12-014, filed 5/31/91, effective 7/1/91)

WAC 296-17-320 GENERAL DEFINITIONS. For the purpose of interpretation of this manual, chapter 296-17 WAC, or administering Title 51 RCW, the following terms shall have the meanings given below:

- (1) "Workers' compensation" means the obligation imposed upon an employer by the industrial insurance laws of the state of Washington, to insure the payment of benefits prescribed by such laws.
- (2) "Risk" means and includes all insured operations of one employer within the state of Washington.
- (3) "Classification" means a grouping of businesses or industries having common or similar exposures without regard to the separate employments, occupations, or operations normal to the business or industry.
- (4) "Basic classification" shall be understood to have the same meaning as classification defined in subsection (3) of this section.
- (5) "Exposure" means worker hours, worker days, payroll or other measure of the extent to which an employer's workers have been exposed to the hazards found within a particular business or industry classification.
- (6) "Rate" means the amount of premium for each unit of exposure. All rates are rates per worker hour except where specifically provided otherwise in this manual.
- (7) "Premium" means the sum derived from the application of the rates to the exposures in each classification, after application of any duly authorized experience modification, except where the rules of this manual indicate otherwise.
- (8) Unless the context indicates otherwise, the words used in this manual shall have the meanings given in Title 51 RCW.
- (9) "Free from control or direction" shall mean that the contracted individual has the responsibility to deliver a finished product or service without the contracting firm or individual either exercising direct supervision over the work hours or the methods and details of performance or having the right to exercise that authority under the contract.
- (10) "Principle place of business" shall be the physical location of the business from which the contract of service is directed and controlled.
- (11) "Within a reasonable period" for establishing an account with state agencies shall be the time prior to the first date on which the individual begins performance of service toward the contract or the date upon which the individual is required to establish an account with a state agency, as otherwise required by law, whichever event shall last occur.
- (12) "Bona fide officer" means any person empowered in good faith by stockholders or directors, in accordance with articles of incorporation or bylaws, to discharge the duties of such officer.
- (13) "Related by blood within the third degree" means the degree of kinship as computed according to the rules of the civil law; that is, by counting upward from the officer to the nearest common ancestor and then downward to the relative, the degree of kinship being the sum of these two counts.
- (14) "Related by marriage" means the union subject to legal recognition under the domestic relations laws of this state.

**REPEALER**

The following section of the Washington Administrative Code is repealed:

WAC 296-17-349 CORPORATE OFFICER AND LIMITED PARTNER—COVERAGE EXTENDED.

**WSR 91-18-077**  
**PROPOSED RULES**  
**DEPARTMENT OF HEALTH**

[Filed September 4, 1991, 2:20 p.m.]

**Original Notice.**

Title of Rule: WAC 246-491-149 Adoption of United States standard certificates and report—Modifications pursuant to RCW 43.70.150.

Purpose: To meet the new statutory requirements as set forth in SHB 2056 (amendment to chapter 70.58 RCW) to make certificates consistent with United States standard certificates.

Statutory Authority for Adoption: RCW 43.70.150.

Statute Being Implemented: RCW 43.70.150.

Summary: This rule defines the contents of the Washington state certificate of live birth, fetal death, death, marriage and dissolution.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Rowena Wilson-Canty, 1112 S.E. Quince Street, Olympia, WA, 586-6779.

Name of Proponent: Department of Health, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This rule defines the contents of the Washington state certificate of live birth, fetal death, death, marriage and dissolution. The purpose is to meet the statutory requirements as set forth in SHB 2056, amending and adding new sections to chapter 70.58 RCW and to make certificates consistent with United States standard certificates.

Proposal does not change existing rules.

To add items to United States standard and change items previously collected.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: General Administration Auditorium, Large Conference Room, 11th and Columbia, Olympia, Washington, on October 11, 1991, at 1:30 p.m.

Submit Written Comments to: Leslie Baldwin, 1300 S.E. Quince Street, Mailstop EY-16, Olympia, WA 98504, by October 10, 1991.

Date of Intended Adoption: October 11, 1991.

August 30, 1991  
 Pam Campbell Mead  
 for Kristine M. Gebbie  
 Secretary

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-491-149 ADOPTION OF UNITED STATES STANDARD CERTIFICATES AND REPORT—MODIFICATIONS PURSUANT TO RCW ((43.20A.620)) 43.70.150. The department adopts and approves for use in the state of Washington, effective January 1, ((1989)) 1992, the 1988 revisions of the United States standard forms for live birth, death, fetal death, marriage, and

dissolution. These forms are developed by the United States Department of Health and Human Services, National Center for Health Statistics. With the exception of the confidential section, the department may modify any part of these forms and shall make the following modifications:

**U.S. STANDARD CERTIFICATE OF LIVE BIRTH.**

Add "mother's request to issue Social Security number (allow up to six months)."  
 Add "record amendment."  
 Add "how long at current residence?"

**U.S. STANDARD CERTIFICATE OF DEATH.**

((Add "citizen of what country.")  
 Under "place of death" add "in transport," "hospital."  
 Add "smoking in last fifteen years."  
 Add "or descent" after "of Hispanic origin."  
 ((Add "Asian-Pacific Islander" after "race.")  
 Add "length of residence."  
 Add "date of disposition."  
 Add "medical examiner/coroner file number."  
 Add "hour pronounced dead (24-hours)."  
 Add "record amended section."  
 Delete "license number (funeral director)" under item 21b.  
 Delete "license number (certifier)" under item 23b.  
 Delete "were autopsy findings available prior to completion of cause of death yes/no" under item 28b.  
 Delete check boxes under item 20a.  
 Delete "donation" under item 20a.  
 Delete check boxes under item 31a.  
 Delete item 32.  
 Delete "inpatient" under item 9a.  
 Delete check boxes under item 29.  
 Delete "natural" under item 29.

**U.S. STANDARD REPORT OF FETAL DEATH.**

Add "fetus name."  
 Add "time of delivery."  
 Add "place of delivery."  
 Add "state of birth."  
 Add "registrar signature."  
 Add "date filed."  
 Add "burial, cremation, removal, other (specify)."  
 Add "date (burial)."  
 Add "cemetery/crematory-name."  
 Add "location (cemetery)."  
 Add "funeral director signature."  
 Add "name of facility."  
 Add "address of facility."  
 Add "autopsy yes/no."  
 Add "were autopsy findings used to complete the cause of death?"  
 Add "certification statement."  
 Change title to "certificate of fetal death."

**U.S. STANDARD LICENSE AND CERTIFICATE OF MARRIAGE.**

Change title to "certificate of marriage."  
 Add "type of ceremony (religious/civil ceremony)."  
 Add "officiant - date signed."  
 Add "inside of city limits for bride and groom."  
 Delete "age last birthday" for the groom under item 2.  
 Delete "age last birthday" for the bride under item 9.  
 Delete "license to marry" section.  
 Delete "expiration date of license" under item 17.  
 Delete "title of issuing official" under item 20.  
 Delete "confidential information" under items 27 through 30b.

**U.S. STANDARD CERTIFICATE OF DIVORCE, DISSOLUTION OF MARRIAGE, OR ANNULMENT.**

Change title to "certificate of dissolution, declaration of invalidity of marriage or legal separation."  
 Add check boxes for "type of decree."  
 Add "inside city limits" for both parties.  
 Delete "date couple last resided in same household" under item 11.  
 Change "number of children under eighteen in this household as of this date" to "number of children born alive of this marriage" under item 12.  
 Delete check boxes for "petitioner" under item 13.

Delete section "number of children under eighteen whose physical custody was awarded to" under item 18.  
 Delete "title of court" under item 20.  
 Delete "title of certifying official" under item 22.  
 Delete "date signed" under item 23.  
 Delete "confidential information" under items 24 through 27b.

**WSR 91-18-078**  
**PROPOSED RULES**  
**DEPARTMENT OF HEALTH**  
**(Dental Disciplinary Board)**  
 [Filed September 4, 1991, 2:23 p.m.]

**Original Notice.**

Title of Rule: Infection control, new sections WAC 246-816-701 Purpose; 246-816-710 Definitions; 246-816-720 Use of barriers and sterilization techniques; and 246-816-730 Management of single use items.

Purpose: To establish requirements for infection control in dental offices to protect the health and well-being of the people of the state of Washington.

Statutory Authority for Adoption: RCW 18.32.640.

Statute Being Implemented: RCW 18.32.725.

Summary: The proposed rules establish requirements for infection control in dental offices and identify required procedures to prevent disease transmission from patient to doctor and staff, doctor and staff to patients, and from patient to patient via a vector such as instruments or supplies.

Reasons Supporting Proposal: The Dental Disciplinary Board seeks to identify basic requirements for infection control in dental offices, therefore it is necessary to adopt rules addressing requirements for infection control.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Linda McCue, 1300 S.E. Quince Street, EY-26, Olympia, WA 98504, (206) 753-1156.

Name of Proponent: Dental Disciplinary Board, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The rules identify barriers and sterilization techniques for dental offices and the management of single use items. The purpose of the rules is to protect the health and well-being of the people of the state of Washington.

Proposal does not change existing rules.

Small Business Economic Impact Statement: The rules will impact dental offices that need to buy additional handpieces so they can heat sterilize handpieces between patients. The cost will depend on the number of dental operatories a dentist has in use at one time. The cost of one dental handpiece is approximately \$550.00 to \$650.00.

Hearing Location: Seattle Marriott Sea-Tac Airport, Salon B, 18220 Pacific Highway South, Seattle, WA 98188, on October 12, 1991, at 1:30 p.m.

Submit Written Comments to: Linda McCue, Program Manager, 1300 S.E. Quince Street, EY-26, Olympia, WA 98504, by October 2, 1991.

Date of Intended Adoption: October 12, 1991.

August 9, 1991  
 Paul E. Lovdahl, D.D.S.  
 Vice-Chairman  
 Dental Disciplinary Board

**INFECTION CONTROL**

**NEW SECTION**

WAC 246-816-701 PURPOSE. The purpose of WAC 246-816-701 through 246-816-730 is to establish requirements for infection control in dental offices to protect the health and well-being of the people of the state of Washington. For purposes of infection control, all dental staff members and all patients shall be considered potential carriers of communicable diseases. Infection control procedures are required to prevent disease transmission from patient to doctor and staff, doctor and staff to patient, and from patient to patient via a vector such as instruments or supplies.

**NEW SECTION**

WAC 246-816-710 DEFINITIONS. (1) "Direct care staff" are the dental staff who directly provide dental care to patients.

(2) "Communicable diseases" means an illness caused by an infectious agent which can be transmitted from one person, animal, or object to another person by direct or indirect means including transmission via an intermediate host or vector, food, water or air.

**NEW SECTION**

WAC 246-816-720 USE OF BARRIERS AND STERILIZATION TECHNIQUES. The use of barriers and sterilization techniques is the primary means of assuring that there is the least possible chance of the transmission of communicable diseases from doctor and staff to patients, from patient to patient and from patient to doctor and staff. Surfaces, instruments, equipment and supplies contaminated or likely to be contaminated with blood or saliva during treatment must be sterilized between patients, discarded and replaced between patients, or covered with a barrier which is discarded and replaced between patients.

(1) Dentists shall comply with the following barrier techniques:

(a) Gloves shall be used by the dentist and direct care staff during treatment which involves intraoral procedures or contact with items potentially contaminated with the patient's bodily fluids. Fresh gloves shall be used for every intraoral patient contact. Gloves shall not be washed or reused for any purpose. The same pair of gloves shall not be used, removed, and reused for the same patient at the same visit or for any other purpose. Gloves that have been used for dental treatment shall not be reused for any non-dental purpose.

(b) Masks shall be worn by the dentist and direct care staff when splatter or aerosol is likely. Masks shall always be worn during surgical procedures.

(c) Protective barriers shall be placed over areas of the dental operatory which are likely to be touched during treatment, not removable to be sterilized, and likely to be contaminated by blood or saliva. These include but are not limited:

- i. delivery unit
- ii. chair controls (not including foot controls)
- iii. light handles
- iv. HVE and AW syringe controls
- v. x-ray heads and controls
- vi. head rest
- vii. instrument trays
- viii. low speed handpiece motors

(d) Protective eyewear shall be worn by the dentist and direct care staff and offered to all patients during times when splatter or aerosol is expected.

(2) Dentists shall comply with the following sterilization techniques:

(a) Every dental office shall have the capability to ultrasonically clean and heat sterilize contaminated items. Sterilizers shall be tested by culture method on at least a monthly basis. Documentation shall be maintained either in the form of a log reflecting dates and person(s) conducting the testing or copies of reports from an independent testing entity. The documentation shall be maintained for a period of at least five years.

(b) The following items shall be sterilized by an appropriate heat sterilization method between patients:

- i. low speed handpiece contra angles, prophy angles and straight handpieces
- ii. hand instruments
- iii. high speed handpieces
- iv. burs
- v. endodontic files
- vi. AW syringe tips
- vii. HVE tips
- viii. surgical instruments
- ix. ultrasonic scaling tips
- x. surgical handpieces

(c) Prior to heat sterilization, gross debris shall be removed from items to be sterilized using ultrasonic means when possible.

(d) Non-disposable items used in patient care which cannot be heat sterilized shall be immersed in a cold sterilization solution. If such a technique is used, the solution shall be approved by the FDA as a sterilant and used in accordance with the manufacturer's directions. Items shall remain in the solution for a period of time sufficient to insure sterilization rather than disinfection. This includes items fabricated in a dental laboratory for insertion into a patient's mouth.

#### NEW SECTION

WAC 246-816-730 MANAGEMENT OF SINGLE USE ITEMS. (1) Sterile disposable needles shall be used. The same needle may be recapped with a single handed recapping technique and subsequently reused for the same patient during the same visit.

(2) Single use items used in patient treatment which have been contaminated by saliva or blood shall be discarded and not reused. These include, but are not limited to, disposable needles, saliva ejectors, polishing discs, bonding agent brushes, prophy cups, prophy brushes and fluoride trays.

**WSR 91-18-079**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**GENERAL ADMINISTRATION**  
**(Division of Banking)**  
 [Filed September 4, 1991, 3:10 p.m.]

#### Original Notice.

Title of Rule: Proposed rule relating to the operation of licensees under the new Washington Consumer Loan Act.

Purpose: To implement a new act passed by the 1991 legislature.

Statutory Authority for Adoption: Section 17, chapter 208, Laws of 1991.

Statute Being Implemented: Chapter 208, Laws of 1991.

Summary: The proposed rule interprets and administers provisions of the new Washington Consumer Loan Act.

Reasons Supporting Proposal: To implement the new act.

Name of Agency Personnel Responsible for Drafting and Implementation: John L. Bley, 1400 South Evergreen Park Drive, #120, Olympia, 98504, 753-6520; and Enforcement: Ed Burgert, 1400 South Evergreen Park Drive, #120, Olympia, 98504, 753-6520.

Name of Proponent: John L. Bley, Division of Banking, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed rule clarifies application and lending procedures authorized under the new act for consumer

loan companies. The new act replaces the Washington Industrial Loan Company Act relating to companies who lend to Washington consumers at rates above the Washington usury limit in chapter 19.52 RCW.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

The division has determined that a small business economic impact statement is not required.

Hearing Location: Division of Banking, 1400 South Evergreen Park Drive S.W., #120, Olympia, WA 98504, on October 8, 1991, at 9:00 a.m.

Submit Written Comments to: John L. Bley, by October 8, 1991.

Date of Intended Adoption: October 8, 1991.

September 4, 1991

John L. Bley

Supervisor of Banking

Chapter 50-20 WAC  
 ((INDUSTRIAL LOAN COMPANIES))  
WASHINGTON CONSUMER LOAN ACT

#### NEW SECTION

WAC 50-20-100 BOOKS AND RECORDS. (1) The books, accounts, records, and files required to be maintained by section 15, chapter 208, Laws of 1991 may be maintained by means of electronic display equipment if such equipment is made available to the supervisor of banking or his representatives for purposes of examination at the licensee's place of business.

(2) All real estate loans above ten thousand dollars shall be supported by either an appraisal prepared by a qualified independent professional third party appraiser or by the most recent property tax assessment prepared by the county assessor.

(3) No licensee shall take any instruments in which blanks are not filled in completely before the proceeds of the loan are delivered.

(4) Whenever a loan or forbearance is made by mail by a licensee outside Washington state to a person then residing in this state, the licensee shall license such out-of-state office pursuant to sections 6 and 8, chapter 208, Laws of 1991.

(5) A licensee may service loans made pursuant to chapter 208, Laws of 1991, at locations outside the state of Washington provided that the licensee shall consent to the supervisor's examination of such loans at that out-of-state location. All costs which are reasonable and necessary for the examination of the location shall be paid by the licensee.

#### NEW SECTION

WAC 50-20-110 THE NOTE. (1) Specimen forms of the written instrument or note evidencing any loan under this act shall be filed with the supervisor of banking.

(2) The written instrument or note shall state the following:

- (a) The number and date of the loan.
- (b) Total amount to be repaid or amount of credit line.
- (c) The manner in which it is to be repaid.
- (d) Adequate description of any security. Under no circumstance shall a licensee intentionally take a security interest in collateral prohibited under federal law.
- (e) Maturity date.
- (f) The rate of interest and the method of calculating interest to be collected after original maturity date.

#### NEW SECTION

WAC 50-20-120 CONTENTS OF STATEMENT TO BORROWER. (1) The licensee shall deliver to the borrower at the time any loan, whether open-end or closed-end, is made, a statement in the format required by Federal Reserve Board Regulation Z which shall disclose in clear and distinct terms the following information:

- (a) The name and address of the licensee.
- (b) The name and address of the borrower.
- (c) The number and date of the loan.

(d) The total amount of the loan.

(e) List of charges, including:

(i) Interest rate and amount. This shall be disclosed both as (A) the annual percentage rate (APR) as defined in Regulation Z, 12 (C.F.R. 226), and (B) the simple interest rate, which is the single nominal annual interest rate (stated as a percentage), which if applied to the unpaid amounts of principal outstanding from time to time would produce the same total of interest paid at maturity as originally contracted for, based upon the assumption that all payments were made on the loan according to the schedule of payments agreed to by the borrower and calculations were made according to the actuarial method.

(ii) Loan origination fee.

(iii) Filing and releasing fee.

(iv) Title insurance premium.

(v) Appraisal fee.

(f) Date of maturity of the loan.

(g) Rate of interest after original maturity date.

(h) Description of the security, if any.

(i) Agreement to permit payment in full before maturity.

(j) Penalty and charge, if any, of ten cents or less on each dollar of any installment payment delinquent ten days or more.

(k) Charge for checks returned by bank unpaid.

(l) Service fees, if any.

(m) Any other requirements imposed by Regulation Z (Titles I and V of Consumer Credit Protection Act, P.L. 90-321, 82 Stat. 146 1/5 U.S.C. 1601-1665.)

(2) Sufficient information must be maintained in the licensee's files to show compliance with state and federal law.

#### NEW SECTION

WAC 50-20-130 RESTRICTIONS AS TO CHARGES. (1) No licensee shall charge or collect from the borrower any funds for the cost of filing, recording, releasing, or reconveyance of mortgages, deeds of trust, security agreements, or other documents, or for transferring title certificates to vehicles, or for any other fees paid or to be paid to public officials, unless such charges are paid or are to be paid within one hundred eighty days by the licensee to public officials or other third parties for such filing, recording, transferring, releasing, or reconveyance thereof. Fees for releasing or reconveying security for the obligation owed to the licensee may be charged and collected at the time of final payment of the loan.

(2) No licensee may charge and collect an annual fee in excess of thirty-five dollars payable each year in advance for the privilege of opening and maintaining an open-end loan account.

(3) No licensee may charge or collect a fee in excess of twenty-five dollars for a check returned unpaid by the bank drawn upon. Only one fee may be collected with respect to a particular check in the event it has been redeposited and returned a second time.

(4) No licensee may charge or collect an appraisal fee incurred or to be incurred in appraising security offered by the borrower in excess of the actual costs paid or to be paid to an independent third party professional appraiser. Such charge may be made or collected from the borrower for costs of an appraisal at the time of application for the loan or at any time thereafter except as prohibited herein. If the appraisal fee is not collected at the time of the application, the licensee's good faith estimate of that fee shall be given to the borrower at the time of the application.

(5) A licensee may agree with the borrower for the payment by the borrower of the fees charged by a title company in connection with title insurance required by the licensee in connection with a loan. The borrower has the right to select the person or company by or through whom such title insurance will be offered, subject to the licensee's reasonable conditions, such as type of coverage or endorsements, or financial soundness and proper licensing of the company to do business in the state of Washington. The licensee may select the person or company by or through whom such title insurance will be offered if the borrower does not do so within a reasonable time before the loan transaction is consummated.

(6) A licensee may include the premiums for noncredit insurance in the principal amount of the loan, provided that purchase of the insurance is not required to obtain a loan and that this fact is disclosed to the borrower in writing.

(7) In the event a licensee makes a new loan where any part of the proceeds is used to pay the amount due on an existing loan within four months from date of origination or of the most recent advance upon an existing loan, an origination fee shall be permitted only to the

extent that new money is advanced or the existing credit line increased, unless the origination fee on the existing loan is refunded.

(8) A licensee may not collect a prepayment penalty except as preempted by federal law.

(9) A licensee may not collect fees related to foreclosure or repossession except for reasonable costs incurred relating to post-judgment collections or as preempted under federal law.

#### NEW SECTION

WAC 50-20-140 ADVERTISING. A copy of all direct mail advertising shall be sent by the company to the supervisor of banking.

#### NEW SECTION

WAC 50-20-150 OTHER BUSINESS IN SAME OFFICE. (1) No licensee will be permitted to conduct its business within an office, room or place of business in which other business is solicited or engaged in, or in association or in conjunction therewith, if the supervisor of banking shall find, after five days written notice, and after a hearing, that the other business has concealed or facilitated evasion of the Consumer Loan Act. If the supervisor so finds, he shall order such licensee in writing to desist from such conduct.

(2) No licensee shall transact such business or make any loan provided for or by this act under any other name or at any other place of business than that named on the license. This is not intended to prohibit loans by mail or the closing of real estate-secured loans in an escrow company, a title insurance company, or an attorney's office.

(3) A licensee may engage in the sale of incidental products on the premises of the licensed location upon receiving approval from the supervisor of banking. The cost of such products may, at the consumer's option, be payable from the proceeds of the consumer loan and included in the amount financed provided that (a) the sale of the product is not a factor in the approval of credit and this fact is clearly disclosed in writing to the consumer and (b) in order to obtain the product the consumer gives specific affirmative written indication of his or her desire to purchase the product after receiving disclosure of the cost.

(4) No licensee shall change its place of business to another location unless and until authority for such change shall have been granted by the supervisor of banking.

#### NEW SECTION

WAC 50-20-160 OPEN END LOANS—INCREASE IN INTEREST—NOTICE TO BORROWER. A licensee is not required to give thirty days written notice of an increase in the interest rate charged on an open-end loan pursuant to chapter 31.04 RCW (section 12(6), chapter 208, Laws of 1991), if the following conditions are met:

(1) The interest rate charged on the open-end loan is based upon a commonly published index or upon an index approved by the supervisor; and

(2) The borrower has agreed in writing prior to the increase to base the interest rate on the index.

#### NEW SECTION

WAC 50-20-170 FILE FOR OFFICIAL CORRESPONDENCE AND REPORTS. Each licensee shall maintain a permanent file for all official communications from the office of the supervisor of banking and for copies of correspondence and reports addressed to the supervisor of banking.

#### NEW SECTION

WAC 50-20-180 KNOWLEDGE OF THE LAW AND REGULATIONS. Each licensee shall be responsible for assuring that any person making loans on behalf of the licensee under the Consumer Loan Act shall have a sufficient understanding of the statutes and regulations applicable to its business so as to insure compliance with the Consumer Loan Act.

#### REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 50-20-001 FOREWORD.  
WAC 50-20-010 BOOKS AND RECORDS.  
WAC 50-20-020 THE NOTE.  
WAC 50-20-030 INVESTMENT CERTIFICATES.



WAC 50-20-040 CONTENTS OF STATEMENT TO BORROWER.  
 WAC 50-20-050 RESTRICTIONS AS TO CHARGES.  
 WAC 50-20-055 SIMPLE INTEREST DEFINED.  
 WAC 50-20-060 ADVERTISING.  
 WAC 50-20-070 OTHER BUSINESS IN SAME OFFICE.  
 WAC 50-20-080 BRANCHING.  
 WAC 50-20-090 OPEN-END LOANS—INCREASE IN INTEREST—NOTICE TO BORROWER.

**WSR 91-18-080****PROPOSED RULES****DEPARTMENT OF HEALTH****(Occupational Therapy Practice Board)**

[Filed September 4, 1991, 3:29 p.m.]

**Original Notice.**

**Title of Rule:** Recognized educational programs approved by the board; and limited permits expiration date.

**Purpose:** To update the board approved educational programs for occupational therapists and occupational therapist assistants; and to clarify the expiration date for limited permits.

**Statutory Authority for Adoption:** RCW 18.59.130.

**Statute Being Implemented:** Chapter 18.59 RCW.

**Summary:** Updates recognized educational programs and clarifies expiration date for limited permits.

**Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement:** Carol Neva, 1300 S.E. Quince Street, Olympia, 753-3132.

**Name of Proponent:** Washington State Occupational Therapy Practice Board, governmental.

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

**Explanation of Rule, its Purpose, and Anticipated Effects:** To update the rule that identifies the recognized educational programs; and to clarify the expiration date of a limited permit.

**Proposal Changes the Following Existing Rules:** Updates the board's approved educational programs for occupational therapists and occupational therapy assistants, changing the 1990-1991 listing of educational programs in occupational therapy to the "current" listing; and deletes existing definition of a limited permit expiration date and creates a new section to clarify the expiration date of a limited permit.

**No small business economic impact statement is required for this proposal by chapter 19.85 RCW.**

**Hearing Location:** Holiday Inn, 800 Rainier Avenue South, Renton, WA 98057-0487, on October 10, 1991, at 9:30 a.m.

**Submit Written Comments to:** Department of Health, 1300 S.E. Quince Street, Olympia, 98504, by October 7, 1991.

**Date of Intended Adoption:** October 10, 1991.

August 27, 1991

Carol Neva  
 Program Manager

**AMENDATORY SECTION** (Amending Order 171B, filed 5/16/91, effective 6/16/91)

WAC 246-847-040 **RECOGNIZED EDUCATIONAL PROGRAMS—OCCUPATIONAL THERAPISTS.** The board recognizes and approves courses of instruction conducted by schools that have obtained accreditation of the program in occupational therapy from the Committee on Allied Health Education and Accreditation of the American Medical Association in collaboration with the American Occupational Therapy Association as recognized in the ~~((1990-1991))~~ current Listing of Educational Programs in Occupational Therapy published by the American Occupational Therapy Association, Inc.

**AMENDATORY SECTION** (Amending Order 171B, filed 5/16/91, effective 6/16/91)

WAC 246-847-050 **RECOGNIZED EDUCATIONAL PROGRAMS—OCCUPATIONAL THERAPY ASSISTANTS.** The board recognizes and approves courses of instruction conducted by schools that have obtained approval of the occupational therapy assistant associate degree programs and occupational therapy assistant certificate programs from the American Occupational Therapy Association as recognized in the ~~((1990-1991))~~ current Listing of Educational Programs in Occupational Therapy published by the American Occupational Therapy Association, Inc.

**AMENDATORY SECTION** (Amending Order 112B, filed 2/12/91, effective 3/15/91)

WAC 246-847-060 **LICENSE RENEWAL REGISTRATION DATE AND FEE.** (1) Individuals making application for initial license, provided they meet the requirements for licensure in the state of Washington, will be issued a license to expire on their next birth anniversary date.

(2) Licenses shall be renewed upon a biennial basis on or before the licensee's birth anniversary date. Licenses not renewed on or before the licensee's biennial birth anniversary date shall expire immediately after the licensee's birth anniversary date and any practice engaged in with an expired license shall be deemed unlicensed practice.

(3) ~~((Limited permits shall expire in accordance with RCW 18.59.040(7)).~~

~~((4))~~ On a one-time basis, effective February 1, 1989, all persons applying for license renewal shall submit, in addition to the other requirements, evidence to show compliance with the education requirements of WAC ~~((308-171-320))~~ 246-847-190.

Those persons who must renew during 1989 shall submit evidence of compliance with the education requirements of WAC ~~((308-171-320))~~ 246-847-190 with their renewal application. Persons who are unable to verify compliance by their 1989 renewal date may, upon written application, be granted an extension to December 31, 1989. Those persons who must renew during 1990 shall submit evidence of compliance with WAC ~~((308-171-320))~~ 246-847-190 on or before December 31, 1989.

**NEW SECTION**

WAC 246-847-115 **LIMITED PERMITS.** An applicant who successfully passes the examination for licensure and who has a valid limited permit through the department of health at the time the examination results are made public shall be deemed to be validly licensed under the limited permit for the next thirty calendar days.

**WSR 91-18-081****PERMANENT RULES****DEPARTMENT OF ECOLOGY**

[Order 91-31—Filed September 4, 1991, 3:48 p.m.]

**Date of Adoption:** September 3, 1991.

**Purpose:** Adoption of a revised shoreline master program into the state master program, chapter 173-19 WAC.

**Citation of Existing Rules Affected by this Order:** Amending WAC 173-19-220 Grays Harbor County.

**Statutory Authority for Adoption:** RCW 90.58.200.

Pursuant to notice filed as WSR 91-09-054 on April 16, 1991.

Effective Date of Rule: Thirty-one days after filing.  
September 3, 1991  
Fred Olson  
Deputy Director

**AMENDATORY SECTION** (Amending Order 89-64, filed 6/19/90, effective 7/20/90)

WAC 173-19-220 GRAYS HARBOR COUNTY. Grays Harbor County master program approved August 6, 1975. Revision approved December 2, 1977. Revision approved July 17, 1978. Revision approved March 27, 1980. Revision approved June 3, 1986. Revision approved August 21, 1987. Revision approved April 5, 1988. Revision approved September 6, 1988. Revision approved May 15, 1990. Revision approved September 3, 1991.

**WSR 91-18-082**

**EMERGENCY RULES**

**DEPARTMENT OF FISHERIES**

[Order 91-81—Filed September 4, 1991, 3:52 p.m.]

Date of Adoption: September 4, 1991.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order:

Repealing WAC 220-24-02000I.

Statutory Authority for Adoption: RCW 75.08.080.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Harvestable numbers of salmon are available for a commercial troll fishery.

Effective Date of Rule: Immediately.

September 4, 1991

Judith Merchant

Deputy

for Joseph R. Blum

Director

**NEW SECTION**

WAC 220-24-02000J COMMERCIAL SALMON TROLL SEASONS. *Notwithstanding the provisions of WAC 220-24-010, WAC 220-24-020, and WAC 220-24-030, effective immediately until further notice it is unlawful to fish for or possess salmon taken for commercial purposes with troll gear in waters west of the Bonilla-Tatoosh line, the Pacific Ocean, or waters west of a line drawn true north-south through Buoy 10 at the mouth of the Columbia River except as provided for in this section:*

(1)(a) Waters north of 48°00'15" N. and west of a line from 48°00'15" N., 125°19'15" W. to 48°03'40" N., 125°17'15" W. to 48°07'45" N., 125°11'15" W. to 48°05'00" N., 125°01'00" W. to 48°13'00" N.,

124°57'30" W. to 48°16'30" N., 124°58'00" W. to 48°23'00" N., 124°50'00" W. to 48°30'15" N., 124°50'00" W., open on the following days:  
September 6 through September 9, 1991.

(b) All salmon caught during the four-day fishery period. provided for in this subsection must be sold within 24 hours of the closing date of each fishery and must be sold in the area caught or in an adjacent closed area. No fishing vessel may land more than 80 coho salmon per four-day fishery period.

(c) Terminal gear during the fishing periods provided for in this subsection is restricted to barbless bare blue or pink single shank single point hooks; pink hootchies not more than 3 inches in length may be used; flashers may be used.

**REPEALER**

The following section of the Washington Administrative Code is repealed:

WAC 220-24-02000I COMMERCIAL—SALMON TROLL. (91-75)

**WSR 91-18-083**

**PROPOSED RULES**

**DEPARTMENT OF PERSONNEL**

[Filed September 4, 1991, 4:14 p.m.]

Original Notice.

Title of Rule: WAC 356-30-120 Part-time employment—Rights acquired.

Purpose: Specify promotional rights of permanent part-time employees.

Statutory Authority for Adoption: RCW 41.06.040.

Statute Being Implemented: RCW 41.06.150.

Summary: This allows part-time employees to be converted to full-time status at the same time as their position provided they have been certified from the register and been in the position for at least six months.

Reasons Supporting Proposal: Allows agency to retain an employee without certifying from a full-time register.

Name of Agency Personnel Responsible for Drafting: Georgia Reese, 521 Capitol Way South, 753-5393; Implementation and Enforcement: Department of Personnel.

Name of Proponent: Roberta Wells, BIIA and Georgia Reese, Department of Personnel, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Specifies promotional rights of part-time employees. This proposal would broaden their rights after six months of employment if their position is converted to full-time.

Proposal Changes the Following Existing Rules: It will give the permanent part-time employees rights to their position should the position be converted to full-time. This would also allow the agency to retain an employee who is already trained.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Department of Personnel, 521 Capitol Way South, Olympia, WA 98507, on October 10, 1991, at 10:00 a.m.

Submit Written Comments to: Georgia Reese, P.O. Box 1789, FE-11, Olympia, WA 98504, by October 8, 1991.

Date of Intended Adoption: October 10, 1991.

September 4, 1991

Dee W. Henderson

Secretary

AMENDATORY SECTION (Amending Order 36, filed 7/1/71)

WAC 356-30-120 PART-TIME EMPLOYMENT—RIGHTS ACQUIRED. (1) Any person certified from the register and employed regularly as a part-time employee for six months will be eligible to promote to another part-time position but may assume the rights of a permanent full-time employee, for promotional purposes, only after completing 1040 hours of employment in that position.

(2) The director of the department of personnel or designee may approve the conversion of the employee in a part-time position to full-time status when the position is converted to full time provided the employee has been certified from the register and has been in the position at least six months.

**Table of WAC Sections Affected**

**KEY TO TABLE**

**Symbols:**

- AMD = Amendment of existing section
- A/R = Amending and recodifying a section
- DECOD = Decodification of an existing section
- NEW = New section not previously codified
- OBJEC = Notice of objection by Joint Administrative Rules Review Committee
- PREP = Preproposal comments
- RE-AD = Readoption of existing section
- RECOD = Recodification of previously codified section
- REP = Repeal of existing section
- RESCIND = Rescind previous emergency rule
- REVIEW = Review of previously adopted rule

**Suffixes:**

- P = Proposed action
- C = Continuance of previous proposal
- E = Emergency action
- S = Supplemental notice
- 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.

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16-160-050	NEW	91-05-007	16-231-238	REP	91-06-019	16-232-120	AMD-P	91-02-106
16-160-060	NEW	91-05-007	16-231-300	AMD-P	91-02-106	16-232-120	AMD	91-06-019
16-160-060	AMD-P	91-15-067	16-231-300	AMD	91-06-019	16-232-200	AMD-P	91-02-106
16-160-070	NEW	91-05-007	16-231-305	AMD-P	91-02-106	16-232-200	AMD	91-06-019
16-160-090	NEW	91-05-007	16-231-305	AMD	91-06-019	16-232-205	AMD-P	91-02-106
16-160-100	NEW	91-05-007	16-231-310	AMD-P	91-02-106	16-232-205	AMD	91-06-019
16-212-125	NEW-P	91-13-106	16-231-310	AMD	91-06-019	16-232-220	AMD-P	91-02-106
16-212-125	NEW	91-16-005	16-231-330	AMD-P	91-02-106	16-232-220	AMD	91-06-019
16-212-126	NEW-P	91-13-106	16-231-330	AMD	91-06-019	16-232-225	AMD-P	91-02-106
16-212-126	NEW	91-16-005	16-231-340	AMD-P	91-02-106	16-232-225	AMD	91-06-019
16-212-127	NEW-P	91-13-106	16-231-340	AMD	91-06-019	16-232-300	AMD-P	91-02-106
16-212-127	NEW	91-16-005	16-231-343	REP-P	91-02-106	16-232-300	AMD	91-06-019
16-212-128	NEW-P	91-13-106	16-231-343	REP	91-06-019	16-232-305	AMD-P	91-02-106
16-212-128	NEW	91-16-005	16-231-400	AMD-P	91-02-106	16-232-305	AMD	91-06-019
16-228-020	NEW-P	91-13-106	16-231-400	AMD	91-06-019	16-232-315	AMD-P	91-02-106
16-228-020	NEW	91-16-005	16-231-405	AMD-P	91-02-106	16-232-315	AMD	91-06-019
16-228-164	AMD-P	91-02-106	16-231-405	AMD	91-06-019	16-232-950	REP-P	91-02-106

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16-232-950	REP	91-06-019	16-470-015	AMD-P	91-15-100	16-484-200	NEW-P	91-10-095
16-304-039	NEW-P	91-15-099	16-470-100	AMD	91-03-115	16-484-200	NEW	91-13-026
16-304-040	AMD-P	91-15-099	16-470-500	AMD-P	91-15-100	16-484-205	NEW-E	91-06-035
16-304-050	AMD-P	91-15-099	16-470-510	AMD-P	91-15-100	16-484-205	NEW-P	91-10-095
16-316-280	AMD-P	91-04-066	16-470-520	AMD-P	91-15-100	16-484-205	NEW	91-13-026
16-316-280	AMD	91-08-017	16-470-530	AMD-P	91-15-100	16-484-210	NEW-E	91-06-035
16-316-285	AMD-P	91-04-066	16-470-533	NEW-P	91-15-100	16-484-210	NEW-P	91-10-095
16-316-285	AMD	91-08-017	16-470-535	NEW-P	91-15-100	16-484-210	NEW	91-13-026
16-316-290	AMD-P	91-04-066	16-471-010	NEW	91-03-046	16-484-220	NEW-E	91-06-035
16-316-290	AMD	91-08-017	16-471-015	NEW	91-03-046	16-484-220	NEW-P	91-10-095
16-316-620	AMD-P	91-10-082	16-471-020	NEW	91-03-046	16-484-220	NEW	91-13-026
16-316-620	AMD	91-14-001	16-471-030	NEW	91-03-046	16-484-230	NEW-E	91-06-035
16-316-622	AMD-P	91-10-082	16-471-040	NEW	91-03-046	16-484-230	NEW-P	91-10-095
16-316-622	AMD	91-14-001	16-471-050	NEW	91-03-046	16-484-230	NEW	91-13-026
16-316-715	AMD-P	91-10-082	16-471-060	NEW	91-03-046	16-484-240	NEW-E	91-06-035
16-316-715	AMD	91-14-001	16-471-070	NEW	91-03-046	16-484-240	NEW-P	91-10-095
16-316-800	AMD-P	91-10-082	16-471-080	NEW	91-03-046	16-484-240	NEW	91-13-026
16-316-800	AMD	91-14-001	16-481	PREP	91-10-013	16-484-250	NEW-E	91-06-035
16-316-820	AMD-P	91-10-082	16-481-010	AMD-P	91-15-098	16-484-250	NEW-P	91-10-095
16-316-820	AMD	91-14-001	16-481-015	NEW-P	91-15-098	16-484-250	NEW	91-13-026
16-316-970	NEW-P	91-10-082	16-481-020	AMD-P	91-15-098	16-484-260	NEW-E	91-06-035
16-316-970	NEW	91-13-087	16-481-025	NEW-P	91-15-098	16-484-260	NEW-P	91-10-095
16-316-975	NEW-P	91-10-082	16-481-030	AMD-P	91-15-098	16-484-260	NEW	91-13-026
16-316-975	NEW	91-13-087	16-481-040	REP-P	91-15-098	16-486-001	REP-P	91-07-036
16-316-980	NEW-P	91-10-082	16-481-050	AMD-P	91-15-098	16-486-001	REP	91-11-054
16-316-980	NEW	91-13-087	16-481-060	AMD-P	91-15-098	16-486-010	REP-P	91-07-036
16-316-985	NEW-P	91-10-082	16-481-070	AMD-P	91-15-098	16-486-010	REP	91-11-054
16-316-985	NEW	91-13-087	16-481-075	NEW-P	91-15-098	16-486-015	REP-P	91-07-036
16-316-990	NEW-P	91-10-082	16-482-001	AMD-P	91-03-105	16-486-015	REP	91-11-054
16-316-990	NEW	91-13-087	16-482-001	AMD	91-07-016	16-486-020	REP-P	91-07-036
16-316-995	NEW-P	91-10-082	16-482-005	NEW-P	91-03-105	16-486-020	REP	91-11-054
16-316-995	NEW	91-13-087	16-482-005	NEW	91-07-016	16-486-025	REP-P	91-07-036
16-316-997	NEW-P	91-10-082	16-482-006	NEW-P	91-03-105	16-486-025	REP	91-11-054
16-316-997	NEW	91-13-087	16-482-006	NEW	91-07-016	16-486-030	REP-P	91-07-036
16-324-375	AMD-P	91-06-061	16-482-007	NEW-P	91-03-105	16-486-030	REP	91-11-054
16-324-375	AMD	91-10-029	16-482-007	NEW	91-07-016	16-486-035	REP-P	91-07-036
16-324-380	AMD-P	91-06-061	16-482-010	AMD-P	91-03-105	16-486-035	REP	91-11-054
16-324-380	AMD	91-10-029	16-482-010	AMD	91-07-016	16-486-040	REP-P	91-07-036
16-324-605	AMD-P	91-06-061	16-482-015	NEW-P	91-03-105	16-486-040	REP	91-11-054
16-324-605	AMD	91-10-029	16-482-015	NEW	91-07-016	16-486-045	REP-P	91-07-036
16-333-200	NEW-P	91-04-068	16-482-016	NEW-P	91-03-105	16-486-045	REP	91-11-054
16-333-200	NEW	91-08-015	16-482-016	NEW	91-07-016	16-487-005	NEW-P	91-15-097
16-333-205	NEW-P	91-04-068	16-482-017	NEW-P	91-03-105	16-487-010	AMD-P	91-15-097
16-333-205	NEW	91-08-015	16-482-017	NEW	91-07-016	16-487-015	NEW-P	91-15-097
16-333-210	NEW-P	91-04-068	16-482-020	AMD-P	91-03-105	16-487-017	NEW-P	91-15-097
16-333-210	NEW	91-08-015	16-482-020	AMD	91-07-016	16-487-020	AMD-P	91-15-097
16-333-215	NEW-P	91-04-068	16-482-030	REP-P	91-03-105	16-487-023	NEW-P	91-15-097
16-333-215	NEW	91-08-015	16-482-030	REP	91-07-016	16-487-025	NEW-P	91-15-097
16-333-220	NEW-P	91-04-068	16-482-040	REP-P	91-03-105	16-487-030	AMD-P	91-15-097
16-333-220	NEW	91-08-015	16-482-040	REP	91-07-016	16-487-040	AMD-P	91-15-097
16-333-225	NEW-P	91-04-068	16-483	PREP	91-10-013	16-487-050	AMD-P	91-15-097
16-333-225	NEW	91-08-015	16-483-001	AMD-P	91-15-098	16-487-060	AMD-P	91-15-097
16-333-230	NEW-P	91-04-068	16-483-005	NEW-P	91-15-098	16-487-100	NEW-P	91-15-097
16-333-230	NEW	91-08-015	16-483-010	AMD-P	91-15-098	16-487-110	NEW-P	91-15-097
16-333-235	NEW-P	91-04-068	16-483-020	AMD-P	91-15-098	16-487-120	NEW-P	91-15-097
16-333-235	NEW	91-08-015	16-483-030	AMD-P	91-15-098	16-487-130	NEW-P	91-15-097
16-333-240	NEW-P	91-04-068	16-483-040	AMD-P	91-15-098	16-487-140	NEW-P	91-15-097
16-333-240	NEW	91-08-015	16-483-050	AMD-P	91-15-098	16-487-150	NEW-P	91-15-097
16-333-245	NEW-P	91-04-068	16-483-060	AMD-P	91-15-098	16-487-160	NEW-P	91-15-097
16-333-245	NEW	91-08-015	16-483-070	REP-P	91-15-098	16-487-200	NEW-P	91-15-097
16-354-005	AMD-P	91-04-067	16-484-020	REP-P	91-07-037	16-487-210	NEW-P	91-15-097
16-354-005	AMD	91-08-016	16-484-020	REP	91-11-053	16-487-220	NEW-P	91-15-097
16-354-010	AMD-P	91-04-067	16-484-022	REP-P	91-07-037	16-487-230	NEW-P	91-15-097
16-354-010	AMD	91-08-016	16-484-022	REP	91-11-053	16-487-240	NEW-P	91-15-097
16-354-020	AMD-P	91-04-067	16-484-030	REP-P	91-07-037	16-487-250	NEW-P	91-15-097
16-354-020	AMD	91-08-016	16-484-030	REP	91-11-053	16-487-300	NEW-P	91-15-097
16-354-030	AMD-P	91-04-067	16-484-040	REP-P	91-07-037	16-487-310	NEW-P	91-15-097
16-354-030	AMD	91-08-016	16-484-040	REP	91-11-053	16-487-320	NEW-P	91-15-097
16-354-040	AMD-P	91-04-067	16-484-050	REP-P	91-07-037	16-487-330	NEW-P	91-15-097
16-354-040	AMD	91-08-016	16-484-050	REP	91-11-053	16-487-335	NEW-P	91-15-097
16-354-070	AMD-P	91-04-067	16-484-080	REP-P	91-07-037	16-494-001	AMD-P	91-04-066
16-354-070	AMD	91-08-016	16-484-080	REP	91-11-053	16-494-001	AMD	91-08-017
16-354-100	AMD-P	91-04-067	16-484-090	REP-P	91-07-037	16-494-010	AMD-P	91-04-066
16-354-100	AMD	91-08-016	16-484-090	REP	91-11-053	16-494-010	AMD	91-08-017
16-403-141	AMD-P	91-03-093	16-484-100	REP-P	91-07-037	16-494-012	NEW-P	91-04-066
16-403-141	AMD-W	91-07-015	16-484-100	REP	91-11-053	16-494-012	NEW	91-08-017
16-470-010	AMD-P	91-15-100	16-484-200	NEW-E	91-06-035	16-494-013	NEW-P	91-04-066

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16-494-015	REP-P	91-04-066	16-557-030	NEW-E	91-08-021	36-12-180	AMD-P	91-05-032
16-494-015	REP	91-08-017	16-557-030	NEW	91-09-003	36-12-180	AMD	91-11-038
16-494-020	AMD-P	91-04-066	16-557-040	NEW-E	91-08-021	36-12-190	AMD-P	91-05-032
16-494-020	AMD	91-08-017	16-557-040	NEW	91-09-003	36-12-190	AMD	91-11-038
16-494-030	AMD-P	91-04-066	16-557-041	NEW-E	91-08-021	36-12-195	NEW-P	91-05-032
16-494-030	AMD	91-08-017	16-557-041	NEW	91-09-003	36-12-195	NEW	91-11-038
16-494-042	AMD-P	91-04-066	16-557-050	NEW-E	91-08-021	36-12-200	AMD-P	91-05-032
16-494-042	AMD	91-08-017	16-557-050	NEW	91-09-003	36-12-200	AMD	91-11-038
16-494-043	NEW-P	91-04-066	16-557-060	NEW-E	91-08-021	36-12-220	AMD-P	91-05-032
16-494-043	NEW	91-08-017	16-557-060	NEW	91-09-003	36-12-220	AMD	91-11-038
16-494-044	AMD-P	91-04-066	16-557-070	NEW-E	91-08-021	36-12-230	REP-P	91-05-032
16-494-044	AMD	91-08-017	16-557-070	NEW	91-09-003	36-12-230	REP	91-11-038
16-494-045	NEW-P	91-04-066	16-557-080	NEW-E	91-08-021	36-12-240	AMD-P	91-05-032
16-494-045	NEW	91-08-017	16-557-080	NEW	91-09-003	36-12-240	AMD	91-11-038
16-494-046	NEW-P	91-04-066	16-560-06001	AMD-P	91-13-105	36-12-250	AMD-P	91-05-032
16-494-046	NEW	91-08-017	16-603-010	NEW-P	91-04-076	36-12-250	AMD	91-11-038
16-494-047	NEW-P	91-04-066	16-603-010	NEW-C	91-09-042	36-12-260	AMD-P	91-05-032
16-494-047	NEW	91-08-017	16-603-010	AMD	91-13-018	36-12-260	AMD	91-11-038
16-494-062	AMD-P	91-04-066	16-605A-005	NEW-P	91-13-106	36-12-270	AMD-P	91-05-032
16-494-062	AMD	91-08-017	16-605A-005	NEW	91-16-005	36-12-270	AMD	91-11-038
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16-494-063	NEW	91-08-017	16-620-390	NEW	91-16-005	36-12-280	AMD	91-11-038
16-494-064	NEW-P	91-04-066	16-674-030	NEW-P	91-13-106	36-12-290	AMD-P	91-05-032
16-494-064	NEW	91-08-017	16-674-030	NEW	91-16-005	36-12-290	AMD	91-11-038
16-495-004	AMD-P	91-10-082	16-674-040	NEW-P	91-13-106	36-12-300	AMD-P	91-05-032
16-495-004	AMD	91-13-087	16-674-040	NEW	91-16-005	36-12-300	AMD	91-11-038
16-495-010	AMD-P	91-10-082	16-674-050	NEW-P	91-13-106	36-12-310	AMD-P	91-05-032
16-495-010	AMD	91-13-087	16-674-050	NEW	91-16-005	36-12-310	AMD	91-11-038
16-495-020	AMD-P	91-10-082	16-694-020	NEW-P	91-13-106	36-12-320	AMD-P	91-05-032
16-495-020	AMD	91-13-087	16-694-020	NEW	91-16-005	36-12-320	AMD	91-11-038
16-495-030	AMD-P	91-10-082	16-694-021	NEW-P	91-13-106	36-12-330	AMD-P	91-05-032
16-495-030	AMD	91-13-087	16-694-021	NEW	91-16-005	36-12-330	AMD	91-11-038
16-495-040	AMD-P	91-10-082	16-752-300	AMD	91-03-045	36-12-340	AMD-P	91-05-032
16-495-040	AMD	91-13-087	16-752-305	AMD	91-03-045	36-12-340	AMD	91-11-038
16-495-050	AMD-P	91-10-082	16-752-310	RE-AD	91-03-045	36-12-350	AMD-P	91-05-032
16-495-050	AMD	91-13-087	16-752-315	AMD	91-03-045	36-12-350	AMD	91-11-038
16-495-060	AMD-P	91-10-082	16-752-320	RE-AD	91-03-045	36-12-360	AMD-P	91-05-032
16-495-060	AMD	91-13-087	16-752-325	REP	91-03-045	36-12-360	AMD	91-11-038
16-495-080	REP-P	91-10-082	16-752-330	AMD	91-03-045	36-12-365	NEW-P	91-05-032
16-495-080	REP	91-13-087	36-12	AMD-P	91-05-032	36-12-365	NEW	91-11-038
16-495-085	REP-P	91-10-082	36-12	AMD	91-11-038	36-12-367	NEW-P	91-05-032
16-495-085	REP	91-13-087	36-12-010	AMD-P	91-05-032	36-12-367	NEW	91-11-038
16-495-090	AMD-P	91-10-082	36-12-010	AMD	91-11-038	36-12-370	AMD-P	91-05-032
16-495-090	AMD	91-13-087	36-12-011	AMD-P	91-05-032	36-12-370	AMD	91-11-038
16-495-095	AMD-P	91-10-082	36-12-011	AMD	91-11-038	36-12-380	REP-P	91-05-032
16-495-095	AMD	91-13-087	36-12-020	AMD-P	91-05-032	36-12-380	REP	91-11-038
16-495-100	AMD-P	91-10-082	36-12-020	AMD	91-11-038	36-12-385	NEW-P	91-05-032
16-495-100	AMD	91-13-087	36-12-030	AMD-P	91-05-032	36-12-385	NEW	91-11-038
16-495-105	AMD-P	91-10-082	36-12-030	AMD	91-11-038	36-12-390	REP-P	91-05-032
16-495-105	AMD	91-13-087	36-12-040	AMD-P	91-05-032	36-12-390	REP	91-11-038
16-495-110	AMD-P	91-10-082	36-12-040	AMD	91-11-038	36-12-400	AMD-P	91-05-032
16-495-110	AMD	91-13-087	36-12-050	AMD-P	91-05-032	36-12-400	AMD	91-11-038
16-497-001	AMD-P	91-04-067	36-12-050	AMD	91-11-038	36-12-410	AMD-P	91-05-032
16-497-001	AMD	91-08-016	36-12-060	AMD-P	91-05-032	36-12-410	AMD	91-11-038
16-497-005	NEW-P	91-04-067	36-12-060	AMD	91-11-038	36-12-415	NEW-P	91-05-032
16-497-005	NEW	91-08-016	36-12-070	AMD-P	91-05-032	36-12-415	NEW	91-11-038
16-497-020	AMD-P	91-04-067	36-12-070	AMD	91-11-038	36-12-420	REP-P	91-05-032
16-497-020	AMD	91-08-016	36-12-080	AMD-P	91-05-032	36-12-420	REP	91-11-038
16-497-030	AMD-P	91-04-067	36-12-080	AMD	91-11-038	36-12-425	NEW-P	91-05-032
16-497-030	AMD	91-08-016	36-12-090	REP-P	91-05-032	36-12-425	NEW	91-11-038
16-497-040	AMD-P	91-04-067	36-12-090	REP	91-11-038	36-12-430	REP-P	91-05-032
16-497-040	AMD	91-08-016	36-12-100	AMD-P	91-05-032	36-12-430	REP	91-11-038
16-497-050	AMD-P	91-04-067	36-12-100	AMD	91-11-038	36-12-435	NEW-P	91-05-032
16-497-050	AMD	91-08-016	36-12-110	AMD-P	91-05-032	36-12-435	NEW	91-11-038
16-497-060	AMD-P	91-04-067	36-12-110	AMD	91-11-038	36-12-440	REP-P	91-05-032
16-497-060	AMD	91-08-016	36-12-120	AMD-P	91-05-032	36-12-440	REP	91-11-038
16-528-105	NEW	91-05-065	36-12-120	AMD	91-11-038	36-12-445	NEW-P	91-05-032
16-528-110	AMD	91-05-065	36-12-120	AMD-P	91-11-101	36-12-445	NEW	91-11-038
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16-528-170	NEW	91-05-065	36-12-130	AMD-P	91-05-032	36-12-450	AMD	91-11-038
16-532-040	AMD-P	91-09-057	36-12-130	AMD	91-11-038	36-12-460	REP-P	91-05-032
16-532-040	AMD-C	91-14-113	36-12-150	AMD-P	91-05-032	36-12-460	REP	91-11-038
16-532-040	AMD	91-15-019	36-12-150	AMD	91-11-038	36-12-470	REP-P	91-05-032
16-557-010	NEW-E	91-08-021	36-12-160	AMD-P	91-05-032	36-12-470	REP	91-11-038
16-557-010	NEW	91-09-003	36-12-160	AMD	91-11-038	36-12-480	REP-P	91-05-032
16-557-020	NEW-E	91-08-021	36-12-170	AMD-P	91-05-032	36-12-480	REP	91-11-038



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WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
50-12-045	AMD-P	91-15-101	51-19-470	NEW-W	91-06-064	51-20-3109	NEW-P	91-16-113
50-12-045	AMD	91-18-055	51-20-001	NEW-P	91-16-113	51-20-3110	NEW-P	91-16-113
50-20	AMD-P	91-18-079	51-20-002	NEW-P	91-16-113	51-20-3111	NEW-P	91-16-113
50-20-001	REP-P	91-18-079	51-20-003	NEW-P	91-16-113	51-20-3112	NEW-P	91-16-113
50-20-010	REP-P	91-18-079	51-20-004	NEW-P	91-16-113	51-20-3113	NEW-P	91-16-113
50-20-020	REP-P	91-18-079	51-20-005	NEW-P	91-16-113	51-20-3114	NEW-P	91-16-113
50-20-030	REP-P	91-18-079	51-20-007	NEW-P	91-16-113	51-20-3151	NEW-P	91-16-113
50-20-040	REP-P	91-18-079	51-20-008	NEW-P	91-16-113	51-20-3152	NEW-P	91-16-113
50-20-050	REP-P	91-18-079	51-20-009	NEW-P	91-16-113	51-20-3153	NEW-P	91-16-113
50-20-055	REP-P	91-18-079	51-20-0100	NEW-P	91-16-113	51-20-3200	NEW-P	91-16-113
50-20-060	REP-P	91-18-079	51-20-0104	NEW-P	91-16-113	51-20-3207	NEW-P	91-16-113
50-20-070	REP-P	91-18-079	51-20-0300	NEW-P	91-16-113	51-20-3300	NEW-P	91-16-113
50-20-080	REP-P	91-18-079	51-20-0307	NEW-P	91-16-113	51-20-3304	NEW-P	91-16-113
50-20-090	REP-P	91-18-079	51-20-0400	NEW-P	91-16-113	51-20-3305	NEW-P	91-16-113
50-20-100	NEW-P	91-18-079	51-20-0404	NEW-P	91-16-113	51-20-3306	NEW-P	91-16-113
50-20-110	NEW-P	91-18-079	51-20-0407	NEW-P	91-16-113	51-20-3315	NEW-P	91-16-113
50-20-120	NEW-P	91-18-079	51-20-0409	NEW-P	91-16-113	51-20-3350	NEW-P	91-16-113
50-20-130	NEW-P	91-18-079	51-20-0414	NEW-P	91-16-113	51-20-3800	NEW-P	91-16-113
50-20-140	NEW-P	91-18-079	51-20-0417	NEW-P	91-16-113	51-20-3801	NEW-P	91-16-113
50-20-150	NEW-P	91-18-079	51-20-0419	NEW-P	91-16-113	51-20-3802	NEW-P	91-16-113
50-20-160	NEW-P	91-18-079	51-20-0420	NEW-P	91-16-113	51-20-3900	NEW-P	91-16-113
50-20-170	NEW-P	91-18-079	51-20-0500	NEW-P	91-16-113	51-20-3901	NEW-P	91-16-113
50-20-180	NEW-P	91-18-079	51-20-0503	NEW-P	91-16-113	51-20-3903	NEW-P	91-16-113
50-44-005	NEW-P	91-15-102	51-20-0504	NEW-P	91-16-113	51-20-5100	NEW-P	91-16-113
50-44-005	NEW	91-18-054	51-20-0514	NEW-P	91-16-113	51-20-5103	NEW-P	91-16-113
50-44-020	AMD-P	91-15-102	51-20-0515	NEW-P	91-16-113	51-20-5105	NEW-P	91-16-113
50-44-020	AMD	91-18-054	51-20-0516	NEW-P	91-16-113	51-20-5400	NEW-P	91-16-113
50-44-030	AMD-P	91-15-102	51-20-0551	NEW-P	91-16-113	51-20-5501	NEW-P	91-16-113
50-44-030	AMD	91-18-054	51-20-0554	NEW-P	91-16-113	51-20-91200	NEW-P	91-16-113
50-44-050	AMD-P	91-15-102	51-20-0555	NEW-P	91-16-113	51-20-91223	NEW-P	91-16-113
50-44-050	AMD	91-18-054	51-20-0600	NEW-P	91-16-113	51-20-91224	NEW-P	91-16-113
50-44-060	NEW-P	91-15-102	51-20-0605	NEW-P	91-16-113	51-20-91225	NEW-P	91-16-113
50-44-060	NEW	91-18-054	51-20-0610	NEW-P	91-16-113	51-20-91226	NEW-P	91-16-113
51-10	REP-P	91-16-110	51-20-0700	NEW-P	91-16-113	51-20-91227	NEW-P	91-16-113
51-11-0502	AMD-P	91-16-111	51-20-0702	NEW-P	91-16-113	51-20-91228	NEW-P	91-16-113
51-11-0503	AMD-P	91-16-111	51-20-0800	NEW-P	91-16-113	51-20-91229	NEW-P	91-16-113
51-11-0504	AMD-P	91-16-111	51-20-0801	NEW-P	91-16-113	51-20-91230	NEW-P	91-16-113
51-11-0505	AMD-P	91-16-111	51-20-0900	NEW-P	91-16-113	51-20-91231	NEW-P	91-16-113
51-11-0525	NEW-P	91-16-111	51-20-0901	NEW-P	91-16-113	51-20-91232	NEW-P	91-16-113
51-11-0526	NEW-P	91-16-111	51-20-0902	NEW-P	91-16-113	51-20-91233	NEW-P	91-16-113
51-11-0527	NEW-P	91-16-111	51-20-1000	NEW-P	91-16-113	51-20-91234	NEW-P	91-16-113
51-11-0528	NEW-P	91-16-111	51-20-1011	NEW-P	91-16-113	51-20-93100	NEW-P	91-16-113
51-11-0529	NEW-P	91-16-111	51-20-1200	NEW-P	91-16-113	51-20-93115	NEW-P	91-16-113
51-11-0530	NEW-P	91-16-111	51-20-1201	NEW-P	91-16-113	51-20-93116	NEW-P	91-16-113
51-11-0531	NEW-P	91-16-111	51-20-1210	NEW-P	91-16-113	51-20-93117	NEW-P	91-16-113
51-11-0532	NEW-P	91-16-111	51-20-1215	NEW-P	91-16-113	51-20-93118	NEW-P	91-16-113
51-11-0533	NEW-P	91-16-111	51-20-1216	NEW-P	91-16-113	51-20-93119	NEW-P	91-16-113
51-11-0534	NEW-P	91-16-111	51-20-1223	NEW-P	91-16-113	51-20-93120	NEW-P	91-16-113
51-11-0535	NEW-P	91-16-111	51-20-1224	NEW-P	91-16-113	51-21-001	NEW-P	91-16-113
51-11-0536	NEW-P	91-16-111	51-20-1225	NEW-P	91-16-113	51-21-002	NEW-P	91-16-113
51-11-0537	NEW-P	91-16-111	51-20-1226	NEW-P	91-16-113	51-21-003	NEW-P	91-16-113
51-11-0538	NEW-P	91-16-111	51-20-1227	NEW-P	91-16-113	51-21-007	NEW-P	91-16-113
51-11-0539	NEW-P	91-16-111	51-20-1228	NEW-P	91-16-113	51-21-008	NEW-P	91-16-113
51-11-0540	NEW-P	91-16-111	51-20-1229	NEW-P	91-16-113	51-21-31010	NEW-P	91-16-113
51-11-0541	NEW-P	91-16-111	51-20-1230	NEW-P	91-16-113	51-21-38030	NEW-P	91-16-113
51-11-0542	NEW-P	91-16-111	51-20-1231	NEW-P	91-16-113	51-21-38038	NEW-P	91-16-113
51-11-0600	NEW	91-06-065	51-20-1232	NEW-P	91-16-113	51-21-38039	NEW-P	91-16-113
51-11-0608	AMD-P	91-16-111	51-20-1233	NEW-P	91-16-113	51-22-001	NEW-P	91-16-114
51-11-0625	NEW-P	91-16-111	51-20-1234	NEW-P	91-16-113	51-22-002	NEW-P	91-16-114
51-11-0626	NEW-P	91-16-111	51-20-1251	NEW-P	91-16-113	51-22-003	NEW-P	91-16-114
51-11-0627	NEW-P	91-16-111	51-20-1800	NEW-P	91-16-113	51-22-004	NEW-P	91-16-114
51-11-0628	NEW-P	91-16-111	51-20-1807	NEW-P	91-16-113	51-22-005	NEW-P	91-16-114
51-11-0629	NEW-P	91-16-111	51-20-2300	NEW-P	91-16-113	51-22-007	NEW-P	91-16-114
51-11-0630	NEW-P	91-16-111	51-20-2312	NEW-P	91-16-113	51-22-008	NEW-P	91-16-114
51-11-0631	NEW-P	91-16-111	51-20-2700	NEW-P	91-16-113	51-22-0400	NEW-P	91-16-114
51-11-1000	AMD-P	91-16-111	51-20-2710	NEW-P	91-16-113	51-22-0423	NEW-P	91-16-114
51-13-502	AMD-P	91-07-047	51-20-3000	NEW-P	91-16-113	51-22-0500	NEW-P	91-16-114
51-13-502	AMD	91-12-045	51-20-3007	NEW-P	91-16-113	51-22-0504	NEW-P	91-16-114
51-16-010	REP-P	91-16-112	51-20-3100	NEW-P	91-16-113	51-22-0800	NEW-P	91-16-114
51-16-020	REP-P	91-16-112	51-20-3101	NEW-P	91-16-113	51-22-1000	NEW-P	91-16-114
51-16-030	REP-P	91-16-112	51-20-3102	NEW-P	91-16-113	51-22-1002	NEW-P	91-16-114
51-16-040	REP-P	91-16-112	51-20-3103	NEW-P	91-16-113	51-22-1100	NEW-P	91-16-114
51-16-050	REP-P	91-16-112	51-20-3104	NEW-P	91-16-113	51-22-1104	NEW-P	91-16-114
51-16-060	REP-P	91-16-112	51-20-3105	NEW-P	91-16-113	51-22-1500	NEW-P	91-16-114
51-16-070	REP-P	91-16-112	51-20-3106	NEW-P	91-16-113	51-22-1508	NEW-P	91-16-114
51-16-080	REP-P	91-16-112	51-20-3107	NEW-P	91-16-113			
51-16-100	REP-P	91-16-112	51-20-3108	NEW-P	91-16-113			

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
51-22-1900	NEW-P 91-16-114	51-27-003	NEW-P 91-16-117	131-16-010	AMD-E 91-12-030
51-22-1903	NEW-P 91-16-114	51-27-004	NEW-P 91-16-117	131-16-010	AMD 91-13-048
51-24-001	NEW-P 91-16-115	51-27-008	NEW-P 91-16-117	131-16-011	AMD-P 91-09-036
51-24-002	NEW-P 91-16-115	67-25-005	AMD-P 91-16-085	131-16-011	AMD-E 91-12-030
51-24-003	NEW-P 91-16-115	67-25-030	AMD-P 91-16-085	131-16-011	AMD 91-13-048
51-24-007	NEW-P 91-16-115	82-06-010	NEW-P 91-15-053	131-16-015	AMD-P 91-09-036
51-24-008	NEW-P 91-16-115	82-06-010	NEW 91-18-028	131-16-015	AMD-E 91-12-030
51-24-04000	NEW-P 91-16-115	82-50-021	AMD-P 91-17-057	131-16-015	AMD 91-13-048
51-24-04123	NEW-P 91-16-115	106-120-004	AMD 91-04-054	131-16-020	REP-E 91-06-069
51-24-09000	NEW-P 91-16-115	106-120-005	AMD 91-04-054	131-16-020	REP-P 91-09-036
51-24-09105	NEW-P 91-16-115	106-120-023	AMD 91-04-054	131-16-020	REP-E 91-12-030
51-24-09107	NEW-P 91-16-115	106-120-024	AMD 91-04-054	131-16-020	REP 91-13-048
51-24-09110	NEW-P 91-16-115	106-120-026	AMD 91-04-054	131-16-021	NEW-E 91-06-069
51-24-09117	NEW-P 91-16-115	106-120-027	AMD 91-04-054	131-16-021	AMD-E 91-09-008
51-24-10000	NEW-P 91-16-115	106-120-028	AMD 91-04-054	131-16-021	NEW-P 91-09-036
51-24-10201	NEW-P 91-16-115	106-120-033	AMD 91-04-054	131-16-021	NEW-E 91-12-030
51-24-10507	NEW-P 91-16-115	106-120-131	AMD 91-04-054	131-16-021	NEW 91-13-048
51-24-25000	NEW-P 91-16-115	106-120-132	AMD 91-04-054	131-16-030	REP-P 91-09-036
51-24-25107	NEW-P 91-16-115	106-120-143	AMD 91-04-054	131-16-030	REP-E 91-12-030
51-24-45000	NEW-P 91-16-115	113-10-010	DECOD 91-05-095	131-16-030	REP 91-13-048
51-24-45211	NEW-P 91-16-115	113-10-020	DECOD 91-05-095	131-16-031	NEW-P 91-09-036
51-24-79000	NEW-P 91-16-115	113-10-030	DECOD 91-05-095	131-16-031	NEW-E 91-12-030
51-24-79601	NEW-P 91-16-115	113-10-040	DECOD 91-05-095	131-16-031	NEW 91-13-048
51-24-79603	NEW-P 91-16-115	113-10-050	DECOD 91-05-095	131-16-040	AMD-P 91-09-036
51-24-80000	NEW-P 91-16-115	113-10-060	DECOD 91-05-095	131-16-040	AMD-E 91-12-030
51-24-80101	NEW-P 91-16-115	113-10-070	DECOD 91-05-095	131-16-040	AMD 91-13-048
51-24-80103	NEW-P 91-16-115	113-10-090	DECOD 91-05-095	131-16-050	AMD-P 91-09-036
51-24-80108	NEW-P 91-16-115	113-10-100	DECOD 91-05-095	131-16-050	AMD-E 91-12-030
51-24-80109	NEW-P 91-16-115	113-10-110	DECOD 91-05-095	131-16-050	AMD 91-13-048
51-24-80110	NEW-P 91-16-115	113-12-010	DECOD 91-05-095	131-16-055	NEW-P 91-09-036
51-24-80111	NEW-P 91-16-115	113-12-075	DECOD 91-05-095	131-16-055	NEW-E 91-12-030
51-24-80113	NEW-P 91-16-115	113-12-080	DECOD 91-05-095	131-16-055	NEW 91-13-048
51-24-80114	NEW-P 91-16-115	113-12-085	DECOD 91-05-095	131-16-060	AMD-P 91-09-036
51-24-80120	NEW-P 91-16-115	113-12-087	DECOD 91-05-095	131-16-060	AMD-E 91-12-030
51-24-80202	NEW-P 91-16-115	113-12-101	DECOD 91-05-095	131-16-060	AMD 91-13-048
51-24-80301	NEW-P 91-16-115	113-12-101	REP-P 91-06-090	131-16-061	AMD-P 91-09-036
51-24-80303	NEW-P 91-16-115	113-12-103	DECOD 91-05-095	131-16-061	AMD-E 91-12-030
51-24-80305	NEW-P 91-16-115	113-12-104	DECOD 91-05-095	131-16-061	AMD 91-13-048
51-24-80315	NEW-P 91-16-115	113-12-115	DECOD 91-05-095	131-16-062	NEW-P 91-09-036
51-24-80401	NEW-P 91-16-115	113-12-120	DECOD 91-05-095	131-16-062	NEW-E 91-12-030
51-24-80402	NEW-P 91-16-115	113-12-150	DECOD 91-05-095	131-16-062	NEW 91-13-048
51-24-99300	NEW-P 91-16-115	113-12-165	DECOD 91-05-095	131-16-065	AMD-P 91-09-036
51-24-99350	NEW-P 91-16-115	113-12-170	DECOD 91-05-095	131-16-065	AMD-E 91-12-030
51-24-99351	NEW-P 91-16-115	113-12-175	DECOD 91-05-095	131-16-065	AMD 91-13-048
51-24-99352	NEW-P 91-16-115	113-12-180	DECOD 91-05-095	131-16-066	AMD-P 91-09-036
51-24-99500	NEW-P 91-16-115	113-12-190	DECOD 91-05-095	131-16-066	AMD-E 91-12-030
51-24-99510	NEW-P 91-16-115	113-12-195	DECOD 91-05-095	131-16-066	AMD 91-13-048
51-25-001	NEW-P 91-16-115	113-12-197	DECOD 91-05-095	131-16-069	REP-P 91-09-036
51-25-002	NEW-P 91-16-115	113-12-200	DECOD 91-05-095	131-16-069	REP-E 91-12-030
51-25-003	NEW-P 91-16-115	113-12-210	DECOD 91-05-095	131-16-069	REP 91-13-048
51-25-007	NEW-P 91-16-115	113-12-220	DECOD 91-05-095	131-16-070	AMD-P 91-15-094
51-25-008	NEW-P 91-16-115	113-12-230	DECOD 91-05-095	131-16-080	AMD-P 91-15-094
51-26-001	NEW-P 91-16-116	113-12-300	DECOD 91-05-095	131-16-091	AMD-P 91-15-094
51-26-002	NEW-P 91-16-116	113-12-310	DECOD 91-05-095	131-16-092	AMD-P 91-15-094
51-26-003	NEW-P 91-16-116	113-12-320	DECOD 91-05-095	131-16-093	AMD-P 91-15-094
51-26-004	NEW-P 91-16-116	113-12-330	DECOD 91-05-095	131-16-094	AMD-P 91-15-094
51-26-008	NEW-P 91-16-116	113-12-340	DECOD 91-05-095	131-16-095	NEW-P 91-15-094
51-26-0300	NEW-P 91-16-116	113-12-350	DECOD 91-05-095	131-16-500	AMD-E 91-13-001
51-26-0310	NEW-P 91-16-116	114-12-011	DECOD 91-05-026	131-16-500	AMD-P 91-15-092
51-26-0315	NEW-P 91-16-116	114-12-021	DECOD 91-05-026	131-28-026	AMD-P 91-15-093
51-26-0400	NEW-P 91-16-116	114-12-031	DECOD 91-05-026	131-32-050	NEW-E 91-06-075
51-26-0401	NEW-P 91-16-116	114-12-041	DECOD 91-05-026	131-32-050	NEW-P 91-15-091
51-26-0500	NEW-P 91-16-116	114-12-115	DECOD 91-05-026	132B-120-010	AMD-P 91-05-033
51-26-0503	NEW-P 91-16-116	114-12-126	DECOD 91-05-026	132B-120-010	AMD 91-11-102
51-26-1000	NEW-P 91-16-116	114-12-132	DECOD 91-05-026	132B-120-045	NEW-P 91-05-033
51-26-1004	NEW-P 91-16-116	114-12-136	DECOD 91-05-031	132B-120-045	NEW 91-11-102
51-26-1800	NEW-P 91-16-116	114-12-150	DECOD 91-05-026	132B-120-060	AMD-P 91-05-033
51-26-1801	NEW-P 91-16-116	114-12-155	DECOD 91-05-026	132B-120-060	AMD 91-11-102
51-26-1802	NEW-P 91-16-116	114-12-164	DECOD 91-05-026	132B-120-090	AMD-P 91-05-033
51-26-1803	NEW-P 91-16-116	114-12-170	DECOD 91-05-026	132B-120-090	AMD 91-11-102
51-26-1804	NEW-P 91-16-116	114-12-180	DECOD 91-05-026	132B-120-100	AMD-P 91-05-033
51-26-1805	NEW-P 91-16-116	114-12-190	DECOD 91-05-026	132B-120-100	AMD 91-11-102
51-26-2200	NEW-P 91-16-116	114-12-200	DECOD 91-05-026	132B-120-120	AMD-P 91-05-033
51-26-2300	NEW-P 91-16-116	131-16-005	AMD-P 91-09-036	132B-120-120	AMD 91-11-102
51-26-2301	NEW-P 91-16-116	131-16-005	AMD-E 91-12-030	132B-120-140	AMD-P 91-05-033
51-27-001	NEW-P 91-16-117	131-16-005	AMD 91-13-048	132B-120-140	AMD 91-11-102
51-27-002	NEW-P 91-16-117	131-16-010	AMD-P 91-09-036	132B-120-160	AMD-P 91-05-033

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WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
132B-120-160	AMD	91-11-102	132K-16-180	NEW-P	91-03-150	132K-16-440	NEW-E	91-03-084
132B-120-170	AMD-P	91-05-033	132K-16-180	NEW	91-09-027	132K-16-440	NEW-P	91-03-150
132B-120-170	AMD	91-11-102	132K-16-190	NEW-E	91-03-084	132K-16-440	NEW	91-09-027
132B-120-180	AMD-P	91-05-033	132K-16-190	NEW-P	91-03-150	132K-16-450	NEW-E	91-03-084
132B-120-180	AMD	91-11-102	132K-16-190	NEW	91-09-027	132K-16-450	NEW-P	91-03-150
132B-120-190	AMD-P	91-05-033	132K-16-200	NEW-E	91-03-084	132K-16-450	NEW	91-09-027
132B-120-190	AMD	91-11-102	132K-16-200	NEW-P	91-03-150	132K-16-460	NEW-E	91-03-084
132H-160-210	REP-P	91-15-020	132K-16-200	NEW	91-09-027	132K-16-460	NEW-P	91-03-150
132H-160-210	REP-P	91-15-050	132K-16-210	NEW-E	91-03-084	132K-16-460	NEW	91-09-027
132H-160-210	REP-W	91-15-058	132K-16-210	NEW-P	91-03-150	132K-16-470	NEW-E	91-03-084
132H-160-220	REP-P	91-15-020	132K-16-210	NEW	91-09-027	132K-16-470	NEW-P	91-03-150
132H-160-220	REP-P	91-15-050	132K-16-220	NEW-E	91-03-084	132K-16-470	NEW	91-09-027
132H-160-220	REP-W	91-15-058	132K-16-220	NEW-P	91-03-150	132K-16-480	NEW-E	91-03-084
132H-160-230	REP-P	91-15-020	132K-16-220	NEW	91-09-027	132K-16-480	NEW-P	91-03-150
132H-160-230	REP-P	91-15-050	132K-16-230	NEW-E	91-03-084	132K-16-480	NEW	91-09-027
132H-160-230	REP-W	91-15-058	132K-16-230	NEW-P	91-03-150	132K-16-490	NEW-E	91-03-084
132H-160-240	REP-P	91-15-020	132K-16-230	NEW	91-09-027	132K-16-490	NEW-P	91-03-150
132H-160-240	REP-P	91-15-050	132K-16-240	NEW-E	91-03-084	132K-16-490	NEW-W	91-17-052
132H-160-240	REP-W	91-15-058	132K-16-240	NEW-P	91-03-150	132K-16-500	NEW-E	91-03-084
132H-160-250	REP-P	91-15-020	132K-16-240	NEW	91-09-027	132K-16-500	NEW-P	91-03-150
132H-160-250	REP-P	91-15-050	132K-16-250	NEW-E	91-03-084	132K-16-500	NEW-W	91-17-052
132H-160-250	REP-W	91-15-058	132K-16-250	NEW-P	91-03-150	132K-16-510	NEW-E	91-03-084
132H-160-260	AMD-P	91-15-020	132K-16-250	NEW	91-09-027	132K-16-510	NEW-P	91-03-150
132H-160-260	AMD-P	91-15-050	132K-16-260	NEW-E	91-03-084	132K-16-510	NEW-W	91-17-052
132H-160-260	AMD-W	91-15-058	132K-16-260	NEW-P	91-03-150	132K-16-520	NEW-E	91-03-084
132H-160-290	REP-P	91-15-020	132K-16-260	NEW	91-09-027	132K-16-520	NEW-P	91-03-150
132H-160-290	REP-P	91-15-050	132K-16-270	NEW-E	91-03-084	132K-16-520	NEW-W	91-17-052
132H-160-290	REP-W	91-15-058	132K-16-270	NEW-P	91-03-150	132K-16-530	NEW-E	91-03-084
132H-160-300	REP-P	91-15-020	132K-16-270	NEW	91-09-027	132K-16-530	NEW-P	91-03-150
132H-160-300	REP-P	91-15-050	132K-16-280	NEW-E	91-03-084	132K-16-530	NEW-W	91-17-052
132H-160-300	REP-W	91-15-058	132K-16-280	NEW-P	91-03-150	132K-16-540	NEW-E	91-03-084
132H-160-310	REP-P	91-15-020	132K-16-280	NEW	91-09-027	132K-16-540	NEW-P	91-03-150
132H-160-310	REP-P	91-15-050	132K-16-290	NEW-E	91-03-084	132K-16-540	NEW-W	91-17-052
132H-160-310	REP-W	91-15-058	132K-16-290	NEW-P	91-03-150	132K-16-550	NEW-E	91-03-084
132H-160-410	REP-P	91-15-020	132K-16-290	NEW	91-09-027	132K-16-550	NEW-P	91-03-150
132H-160-410	REP-P	91-15-050	132K-16-300	NEW-E	91-03-084	132K-16-550	NEW-W	91-17-052
132H-160-410	REP-W	91-15-058	132K-16-300	NEW-P	91-03-150	132K-16-560	NEW-E	91-03-084
132H-160-410	REP-W	91-15-058	132K-16-300	NEW-P	91-03-150	132K-16-560	NEW-P	91-03-150
132H-160-420	REP-P	91-15-020	132K-16-300	NEW	91-09-027	132K-16-560	NEW-W	91-17-052
132H-160-420	REP-P	91-15-050	132K-16-310	NEW-E	91-03-084	132K-16-560	NEW-W	91-17-052
132H-160-420	REP-W	91-15-058	132K-16-310	NEW-P	91-03-150	132N-156-300	AMD-P	91-15-071
132H-160-420	REP-W	91-15-058	132K-16-310	NEW	91-09-027	132N-156-310	AMD-P	91-15-071
132H-160-450	REP-P	91-15-020	132K-16-310	NEW	91-09-027	132N-156-310	AMD-P	91-15-071
132H-160-450	REP-P	91-15-050	132K-16-320	NEW-E	91-03-084	132N-156-330	AMD-P	91-15-071
132H-160-450	REP-W	91-15-058	132K-16-320	NEW-P	91-03-150	132N-156-400	AMD-P	91-15-071
132H-160-460	REP-P	91-15-020	132K-16-320	NEW	91-09-027	132N-156-420	AMD-P	91-15-071
132H-160-460	REP-P	91-15-050	132K-16-330	NEW-E	91-03-084	132N-156-430	AMD-P	91-15-071
132H-160-460	REP-W	91-15-058	132K-16-330	NEW-P	91-03-150	132N-156-440	AMD-P	91-15-071
132H-160-470	REP-P	91-15-020	132K-16-330	NEW	91-09-027	132N-156-450	AMD-P	91-15-071
132H-160-470	REP-P	91-15-050	132K-16-340	NEW-E	91-03-084	132N-156-450	AMD-P	91-15-071
132H-160-470	REP-W	91-15-058	132K-16-340	NEW-P	91-03-150	132N-156-460	AMD-P	91-15-071
132H-160-490	REP-P	91-15-020	132K-16-340	NEW	91-09-027	132N-156-500	AMD-P	91-15-071
132H-160-490	REP-P	91-15-050	132K-16-350	NEW-E	91-03-084	132N-156-530	AMD-P	91-15-071
132H-160-490	REP-W	91-15-058	132K-16-350	NEW-P	91-03-150	132N-156-550	AMD-P	91-15-071
132H-160-510	REP-P	91-15-020	132K-16-350	NEW	91-09-027	132N-156-560	AMD-P	91-15-071
132H-160-510	REP-P	91-15-050	132K-16-360	NEW-E	91-03-084	132N-156-570	AMD-P	91-15-071
132H-160-510	REP-W	91-15-058	132K-16-360	NEW-P	91-03-150	132N-156-580	NEW-P	91-15-071
132K-16-110	NEW-E	91-03-084	132K-16-360	NEW	91-09-027	132N-156-610	AMD-P	91-15-071
132K-16-110	NEW-P	91-03-150	132K-16-370	NEW-E	91-03-084	132N-156-620	AMD-P	91-15-071
132K-16-110	NEW	91-09-027	132K-16-370	NEW-P	91-03-150	132N-156-630	AMD-P	91-15-071
132K-16-120	NEW-E	91-03-084	132K-16-370	NEW	91-09-027	132N-156-640	AMD-P	91-15-071
132K-16-120	NEW-P	91-03-150	132K-16-380	NEW-E	91-03-084	132N-156-650	AMD-P	91-15-071
132K-16-120	NEW	91-09-027	132K-16-380	NEW-P	91-03-150	132N-156-700	AMD-P	91-15-071
132K-16-130	NEW-E	91-03-084	132K-16-380	NEW	91-09-027	132N-156-730	AMD-P	91-15-071
132K-16-130	NEW-P	91-03-150	132K-16-390	NEW-E	91-03-084	132N-156-740	AMD-P	91-15-071
132K-16-130	NEW	91-09-027	132K-16-390	NEW-P	91-03-150	132N-156-750	AMD-P	91-15-071
132K-16-140	NEW-E	91-03-084	132K-16-390	NEW	91-09-027	132N-156-760	AMD-P	91-15-071
132K-16-140	NEW-P	91-03-150	132K-16-400	NEW-E	91-03-084	132N-168-010	REP-P	91-15-072
132K-16-140	NEW	91-09-027	132K-16-400	NEW-P	91-03-150	132N-168-020	REP-P	91-15-072
132K-16-150	NEW-E	91-03-084	132K-16-400	NEW	91-09-027	132Q-03-005	NEW-P	91-14-057
132K-16-150	NEW-P	91-03-150	132K-16-410	NEW-E	91-03-084	132Q-03-005	NEW	91-17-075
132K-16-150	NEW	91-09-027	132K-16-410	NEW-P	91-03-150	132Q-03-010	NEW-P	91-14-057
132K-16-160	NEW-E	91-03-084	132K-16-410	NEW	91-09-027	132Q-03-010	NEW	91-17-075
132K-16-160	NEW-P	91-03-150	132K-16-420	NEW-E	91-03-084	132Q-03-020	NEW-P	91-14-057
132K-16-160	NEW	91-09-027	132K-16-420	NEW-P	91-03-150	132Q-03-020	NEW	91-17-075
132K-16-170	NEW-E	91-03-084	132K-16-420	NEW	91-09-027	132Q-03-030	NEW-P	91-14-057
132K-16-170	NEW-P	91-03-150	132K-16-430	NEW-E	91-03-084	132Q-03-030	NEW	91-17-075
132K-16-170	NEW	91-09-027	132K-16-430	NEW-P	91-03-150	132Q-06-016	NEW-P	91-14-060
132K-16-180	NEW-E	91-03-084	132K-16-430	NEW	91-09-027	132Q-06-016	NEW	91-17-078

**Table of WAC Sections Affected**

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
132Q-108-010	NEW-P 91-14-058	154-300-010	NEW-P 91-02-098	173-166-140	NEW 91-03-081
132Q-108-010	NEW 91-17-076	154-300-010	NEW 91-05-084	173-181-010	NEW-P 91-14-110
132Q-108-020	NEW-P 91-14-058	154-300-020	NEW-P 91-02-098	173-181-020	NEW-P 91-14-110
132Q-108-020	NEW 91-17-076	154-300-020	NEW 91-05-084	173-181-030	NEW-P 91-14-110
132Q-108-030	NEW-P 91-14-058	154-300-030	NEW-P 91-02-098	173-181-035	NEW-P 91-14-110
132Q-108-030	NEW 91-17-076	154-300-030	NEW 91-05-084	173-181-040	NEW-P 91-14-110
132Q-108-040	NEW-P 91-14-058	154-300-040	NEW-P 91-02-098	173-181-045	NEW-P 91-14-110
132Q-108-040	NEW 91-17-076	154-300-040	NEW 91-05-084	173-181-050	NEW-P 91-14-110
132Q-108-050	NEW-P 91-14-058	154-300-050	NEW-P 91-02-098	173-181-060	NEW-P 91-14-110
132Q-108-050	NEW 91-17-076	154-300-050	NEW 91-05-084	173-181-065	NEW-P 91-14-110
132Q-108-060	NEW-P 91-14-058	154-300-060	NEW-P 91-02-098	173-181-070	NEW-P 91-14-110
132Q-108-060	NEW 91-17-076	154-300-060	NEW 91-05-084	173-181-075	NEW-P 91-14-110
132Q-108-070	NEW-P 91-14-058	154-300-070	NEW-P 91-02-098	173-181-080	NEW-P 91-14-110
132Q-108-070	NEW 91-17-076	154-300-070	NEW 91-05-084	173-181-085	NEW-P 91-14-110
132Q-108-080	NEW-P 91-14-058	154-300-080	NEW-P 91-02-098	173-181-090	NEW-P 91-14-110
132Q-108-080	NEW 91-17-076	154-300-080	NEW 91-05-084	173-181-092	NEW-P 91-14-110
132Q-108-090	NEW-P 91-14-058	154-300-090	NEW-P 91-02-098	173-181-094	NEW-P 91-14-110
132Q-108-090	NEW 91-17-076	154-300-090	NEW 91-05-084	173-181-096	NEW-P 91-14-110
132Q-108-100	NEW-P 91-14-058	154-300-100	NEW-P 91-02-098	173-181-098	NEW-P 91-14-110
132Q-108-100	NEW 91-17-076	154-300-100	NEW 91-05-084	173-201-010	REP-P 91-09-056
132Q-135-050	NEW-P 91-14-059	154-300-110	NEW-P 91-02-098	173-201-010	REP-W 91-10-048
132Q-135-050	NEW 91-17-077	154-300-110	NEW 91-05-084	173-201-010	REP-P 91-11-089
132S-30-036	AMD-P 91-02-101	154-300-120	NEW-P 91-02-098	173-201-025	REP-P 91-09-056
132S-30-036	AMD 91-08-001	154-300-120	NEW 91-05-084	173-201-025	REP-W 91-10-048
132Y-100-066	NEW-P 91-12-016	173-16-064	NEW-P 91-04-069	173-201-025	REP-P 91-11-089
132Y-100-072	AMD-P 91-12-016	173-16-064	NEW-W 91-05-042	173-201-035	REP-P 91-09-056
132Y-100-104	AMD-P 91-12-016	173-16-064	NEW 91-10-033	173-201-035	REP-W 91-10-048
132Y-400-010	NEW 91-05-012	173-19-120	AMD-W 91-02-112	173-201-035	REP-P 91-11-089
132Y-400-020	NEW 91-05-012	173-19-120	AMD-P 91-14-054	173-201-045	REP-P 91-09-056
132Y-400-030	NEW 91-05-012	173-19-1701	AMD-P 91-17-081	173-201-045	REP-W 91-10-048
132Y-400-040	NEW 91-05-012	173-19-220	AMD-P 91-09-054	173-201-045	REP-P 91-11-089
136-20-020	AMD-P 91-18-044	173-19-220	AMD 91-18-081	173-201-047	REP-P 91-09-056
136-20-030	AMD-P 91-18-044	173-19-2207	AMD-P 91-03-144	173-201-047	REP-W 91-10-048
136-20-040	AMD-P 91-18-044	173-19-2207	AMD 91-12-053	173-201-047	REP-P 91-11-089
136-20-060	AMD-P 91-18-044	173-19-230	AMD 91-03-145	173-201-070	REP-P 91-09-056
136-40-030	AMD-P 91-18-043	173-19-250	AMD 91-03-149	173-201-070	REP-W 91-10-048
136-400-010	NEW-P 91-18-042	173-19-2516	AMD-P 91-14-053	173-201-070	REP-P 91-11-089
136-400-010	NEW-E 91-18-045	173-19-2519	AMD-W 91-12-036	173-201-080	REP-P 91-09-056
136-400-020	NEW-P 91-18-042	173-19-2601	AMD-P 91-17-082	173-201-080	REP-W 91-10-048
136-400-020	NEW-E 91-18-045	173-19-280	AMD-P 91-03-141	173-201-080	REP-P 91-11-089
136-400-030	NEW-P 91-18-042	173-19-280	AMD-W 91-11-088	173-201-085	REP-P 91-09-056
136-400-030	NEW-E 91-18-045	173-19-280	AMD-P 91-14-100	173-201-085	REP-W 91-10-048
136-400-040	NEW-P 91-18-042	173-19-3203	AMD 91-03-147	173-201-085	REP-P 91-11-089
136-400-040	NEW-E 91-18-045	173-19-3204	AMD-P 91-14-052	173-201-090	REP-P 91-09-056
136-400-050	NEW-P 91-18-042	173-19-3205	AMD 91-03-146	173-201-090	REP-W 91-10-048
136-400-050	NEW-E 91-18-045	173-19-3206	AMD-P 91-17-080	173-201-090	REP-P 91-11-089
136-400-060	NEW-P 91-18-042	173-19-3208	AMD 91-03-148	173-201-100	REP-P 91-09-056
136-400-060	NEW-E 91-18-045	173-19-3209	AMD 91-04-070	173-201-100	REP-W 91-10-048
136-400-070	NEW-P 91-18-042	173-19-3210	AMD 91-04-071	173-201-100	REP-P 91-11-089
136-400-070	NEW-E 91-18-045	173-19-350	AMD-P 91-03-143	173-201-110	REP-P 91-09-056
136-400-080	NEW-P 91-18-042	173-19-350	AMD 91-12-052	173-201-110	REP-W 91-10-048
136-400-080	NEW-E 91-18-045	173-19-360	AMD 91-04-072	173-201-110	REP-P 91-11-089
136-400-090	NEW-P 91-18-042	173-19-360	AMD-P 91-05-063	173-201-120	REP-P 91-09-056
136-400-090	NEW-E 91-18-045	173-19-360	AMD-C 91-06-094	173-201-120	REP-W 91-10-048
136-400-100	NEW-P 91-18-042	173-19-360	AMD 91-12-054	173-201-120	REP-P 91-11-089
136-400-100	NEW-E 91-18-045	173-19-420	AMD-P 91-14-051	173-202-020	AMD-E 91-17-006
136-400-110	NEW-P 91-18-042	173-19-4205	AMD-P 91-04-079	173-203-010	NEW-P 91-09-056
136-400-110	NEW-E 91-18-045	173-19-4205	AMD 91-09-055	173-203-010	NEW-W 91-10-048
136-400-120	NEW-P 91-18-042	173-160-040	AMD-E 91-04-073	173-203-010	NEW-P 91-11-089
136-400-120	NEW-E 91-18-045	173-160-040	AMD-P 91-12-039	173-203-020	NEW-P 91-09-056
136-400-130	NEW-P 91-18-042	173-160-040	AMD-E 91-12-041	173-203-020	NEW-W 91-10-048
136-400-130	NEW-E 91-18-045	173-160-040	AMD-C 91-15-104	173-203-020	NEW-P 91-11-089
137-12A-010	AMD 91-10-018	173-166	AMD-C 91-02-099	173-203-030	NEW-P 91-09-056
137-12A-020	AMD 91-10-018	173-166	AMD 91-03-081	173-203-030	NEW-W 91-10-048
137-12A-030	AMD 91-10-018	173-166-010	AMD 91-03-081	173-203-030	NEW-P 91-11-089
137-12A-050	AMD 91-10-018	173-166-020	AMD 91-03-081	173-203-040	NEW-P 91-09-056
137-12A-060	AMD 91-10-018	173-166-030	AMD 91-03-081	173-203-040	NEW-W 91-10-048
137-12A-070	AMD 91-10-018	173-166-040	AMD 91-03-081	173-203-040	NEW-P 91-11-089
137-12A-090	AMD 91-10-018	173-166-050	AMD 91-03-081	173-203-050	NEW-P 91-09-056
139-05-230	AMD-P 91-10-089	173-166-060	AMD 91-03-081	173-203-050	NEW-W 91-10-048
139-05-230	AMD 91-14-011	173-166-070	AMD 91-03-081	173-203-050	NEW-P 91-11-089
139-10-212	AMD-P 91-10-088	173-166-080	NEW 91-03-081	173-203-060	NEW-P 91-09-056
139-10-212	AMD 91-14-010	173-166-090	NEW 91-03-081	173-203-060	NEW-W 91-10-048
143-06-130	AMD-P 91-04-090	173-166-100	NEW 91-03-081	173-203-060	NEW-P 91-11-089
143-06-130	AMD 91-07-033	173-166-110	NEW 91-03-081	173-203-070	NEW-P 91-09-056
154-300-005	NEW-P 91-02-098	173-166-120	NEW 91-03-081	173-203-070	NEW-W 91-10-048
154-300-005	NEW 91-05-084	173-166-130	NEW 91-03-081	173-203-070	NEW-P 91-11-089

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
173-203-080	NEW-P	91-09-056	173-270-010	NEW	91-11-091	173-305-015	REP-E	91-03-139
173-203-080	NEW-W	91-10-048	173-270-020	NEW-P	91-04-091	173-305-015	AMD	91-08-040
173-203-080	NEW-P	91-11-089	173-270-020	NEW	91-11-091	173-305-01501	NEW-E	91-03-139
173-203-090	NEW-P	91-09-056	173-270-030	NEW-P	91-04-091	173-305-020	REP-E	91-03-139
173-203-090	NEW-W	91-10-048	173-270-030	NEW	91-11-091	173-305-020	AMD	91-08-040
173-203-090	NEW-P	91-11-089	173-270-040	NEW-P	91-04-091	173-305-02001	NEW-E	91-03-139
173-203-100	NEW-P	91-09-056	173-270-040	NEW	91-11-091	173-305-030	REP-E	91-03-139
173-203-100	NEW-W	91-10-048	173-270-050	NEW-P	91-04-091	173-305-030	AMD	91-08-040
173-203-100	NEW-P	91-11-089	173-270-050	NEW	91-11-091	173-305-03001	NEW-E	91-03-139
173-203-110	NEW-P	91-09-056	173-270-060	NEW-P	91-04-091	173-305-040	REP-E	91-03-139
173-203-110	NEW-W	91-10-048	173-270-060	NEW	91-11-091	173-305-040	AMD	91-08-040
173-203-110	NEW-P	91-11-089	173-270-070	NEW-P	91-04-091	173-305-04001	NEW-E	91-03-139
173-203-120	NEW-P	91-09-056	173-270-070	NEW	91-11-091	173-305-050	REP-E	91-03-139
173-203-120	NEW-W	91-10-048	173-270-080	NEW-P	91-04-091	173-305-050	AMD	91-08-040
173-203-120	NEW-P	91-11-089	173-270-080	NEW	91-11-091	173-305-05001	NEW-E	91-03-139
173-203-130	NEW-P	91-09-056	173-270-090	NEW-P	91-04-091	173-305-060	REP-E	91-03-139
173-203-130	NEW-W	91-10-048	173-270-090	NEW	91-11-091	173-305-06001	NEW-E	91-03-139
173-203-130	NEW-P	91-11-089	173-270-100	NEW-P	91-04-091	173-305-070	REP-E	91-03-139
173-203-140	NEW-P	91-09-056	173-270-100	NEW	91-11-091	173-305-07001	NEW-E	91-03-139
173-203-140	NEW-W	91-10-048	173-300-070	AMD-P	91-09-053	173-305-080	REP-E	91-03-139
173-203-140	NEW-P	91-11-089	173-300-070	AMD	91-12-040	173-305-090	REP-E	91-03-139
173-203-150	NEW-P	91-09-056	173-303	PREP	91-15-105	173-305-110	NEW	91-08-040
173-203-150	NEW-W	91-10-048	173-303-016	AMD	91-07-005	173-305-120	NEW	91-08-040
173-203-150	NEW-P	91-11-089	173-303-017	AMD	91-07-005	173-305-210	NEW	91-08-040
173-203-160	NEW-P	91-09-056	173-303-040	AMD	91-07-005	173-305-220	NEW	91-08-040
173-203-160	NEW-W	91-10-048	173-303-045	AMD	91-07-005	173-305-230	NEW	91-08-040
173-203-160	NEW-P	91-11-089	173-303-070	AMD	91-07-005	173-305-240	NEW	91-08-040
173-203-170	NEW-P	91-09-056	173-303-071	AMD	91-07-005	173-307-010	NEW	91-08-041
173-203-170	NEW-W	91-10-048	173-303-072	AMD	91-07-005	173-307-010	AMD-P	91-14-099
173-203-170	NEW-P	91-11-089	173-303-081	AMD	91-07-005	173-307-015	NEW	91-08-041
173-203-180	NEW-P	91-09-056	173-303-084	AMD	91-07-005	173-307-015	AMD-P	91-14-099
173-203-180	NEW-W	91-10-048	173-303-090	AMD	91-07-005	173-307-020	NEW	91-08-041
173-203-180	NEW-P	91-11-089	173-303-103	AMD	91-07-005	173-307-020	AMD-P	91-14-099
173-204	NEW-C	91-03-094	173-303-110	AMD	91-07-005	173-307-030	NEW	91-08-041
173-204	NEW-C	91-06-098	173-303-120	AMD	91-07-005	173-307-030	AMD-P	91-14-099
173-204-100	NEW	91-08-019	173-303-145	AMD	91-07-005	173-307-040	NEW	91-08-041
173-204-110	NEW	91-08-019	173-303-160	AMD	91-07-005	173-307-040	AMD-P	91-14-099
173-204-120	NEW	91-08-019	173-303-200	AMD	91-07-005	173-307-050	NEW	91-08-041
173-204-130	NEW	91-08-019	173-303-201	AMD	91-07-005	173-307-060	NEW	91-08-041
173-204-200	NEW	91-08-019	173-303-210	AMD	91-07-005	173-307-060	AMD-P	91-14-099
173-204-300	NEW	91-08-019	173-303-220	AMD	91-07-005	173-307-070	NEW	91-08-041
173-204-310	NEW	91-08-019	173-303-230	AMD	91-07-005	173-307-070	AMD-P	91-14-099
173-204-315	NEW	91-08-019	173-303-320	AMD	91-07-005	173-307-080	NEW	91-08-041
173-204-320	NEW	91-08-019	173-303-360	AMD	91-07-005	173-307-080	AMD-P	91-14-099
173-204-330	NEW	91-08-019	173-303-380	AMD	91-07-005	173-307-090	NEW	91-08-041
173-204-340	NEW	91-08-019	173-303-390	AMD	91-07-005	173-307-100	NEW	91-08-041
173-204-350	NEW	91-08-019	173-303-400	AMD	91-07-005	173-307-110	NEW	91-08-041
173-204-400	NEW	91-08-019	173-303-500	AMD	91-07-005	173-307-120	NEW	91-08-041
173-204-410	NEW	91-08-019	173-303-510	RE-AD	91-07-005	173-307-130	NEW	91-08-041
173-204-415	NEW	91-08-019	173-303-515	RE-AD	91-07-005	173-307-140	NEW	91-08-041
173-204-420	NEW	91-08-019	173-303-520	RE-AD	91-07-005	173-312	AMD	91-11-090
173-204-500	NEW	91-08-019	173-303-525	AMD	91-07-005	173-312-010	AMD	91-11-090
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173-204-570	NEW	91-08-019	173-303-645	AMD	91-07-005	173-312-080	NEW	91-11-090
173-204-580	NEW	91-08-019	173-303-650	RE-AD	91-07-005	173-312-090	NEW	91-11-090
173-204-590	NEW	91-08-019	173-303-680	NEW	91-07-005	173-312-100	NEW	91-11-090
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173-204-610	NEW	91-08-019	173-303-802	AMD	91-07-005	173-331-010	NEW	91-05-020
173-204-620	NEW	91-08-019	173-303-805	AMD	91-07-005	173-331-100	NEW	91-05-020
173-224	PREP	91-15-106	173-303-806	AMD	91-07-005	173-331-200	NEW	91-05-020
173-224-015	AMD-P	91-03-080	173-303-807	AMD	91-07-005	173-331-210	NEW	91-05-020
173-224-015	AMD-W	91-11-047	173-303-808	AMD	91-07-005	173-331-220	NEW	91-05-020
173-224-030	AMD-P	91-03-080	173-303-810	AMD	91-07-005	173-331-300	NEW	91-05-020
173-224-030	AMD-W	91-11-047	173-303-830	AMD	91-07-005	173-331-400	NEW	91-05-020
173-224-040	AMD-P	91-03-080	173-303-902	PREP	91-08-018	173-331-410	NEW	91-05-020
173-224-040	AMD-W	91-11-047	173-303-9903	AMD	91-07-005	173-331-500	NEW	91-05-020
173-224-050	AMD-P	91-03-080	173-303-9904	AMD	91-07-005	173-331-600	NEW	91-05-020
173-224-050	AMD-W	91-11-047	173-303-9906	AMD	91-07-005	173-340-120	AMD	91-04-019
173-224-090	AMD-P	91-03-080	173-303-9907	AMD	91-07-005	173-340-200	AMD	91-04-019
173-224-090	AMD-W	91-11-047	173-305-010	REP-E	91-03-139	173-340-210	AMD	91-04-019
173-230-090	AMD	91-13-058	173-305-010	AMD	91-08-040	173-340-300	AMD	91-04-019
173-270-010	NEW-P	91-04-091	173-305-01001	NEW-E	91-03-139	173-340-350	AMD	91-04-019

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173-340-420	AMD	91-04-019	173-403-060	REP	91-05-064	173-460-160	NEW	91-13-079
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173-340-745	NEW	91-04-019	173-403-190	REP	91-05-064	173-490-200	AMD	91-05-064
173-340-750	NEW	91-04-019	173-405-012	AMD	91-05-064	173-490-201	AMD	91-05-064
173-340-760	NEW	91-04-019	173-405-021	AMD	91-05-064	173-490-202	AMD	91-05-064
173-340-830	AMD	91-04-019	173-405-033	AMD	91-05-064	173-490-203	AMD	91-05-064
173-360-110	AMD-P	91-17-079	173-405-035	AMD	91-05-064	173-490-204	AMD	91-05-064
173-360-120	AMD-P	91-17-079	173-405-040	AMD	91-05-064	173-490-205	AMD	91-05-064
173-360-130	AMD-P	91-17-079	173-405-041	REP	91-05-064	173-490-207	AMD	91-05-064
173-360-200	AMD-P	91-17-079	173-405-045	AMD	91-05-064	173-490-208	AMD	91-05-064
173-360-220	NEW-W	91-04-022	173-405-061	AMD	91-05-064	173-491-010	NEW-P	91-02-107
173-360-230	NEW-W	91-04-022	173-405-072	AMD	91-05-064	173-491-010	NEW	91-14-101
173-360-305	AMD-P	91-17-079	173-405-077	AMD	91-05-064	173-491-015	NEW-P	91-02-107
173-360-310	AMD-P	91-17-079	173-405-078	AMD	91-05-064	173-491-015	NEW	91-14-101
173-360-330	AMD-P	91-17-079	173-405-086	AMD	91-05-064	173-491-020	NEW-P	91-02-107
173-360-345	AMD-P	91-17-079	173-405-087	AMD	91-05-064	173-491-020	NEW	91-14-101
173-360-350	AMD-P	91-17-079	173-405-091	AMD	91-05-064	173-491-030	NEW-P	91-02-107
173-360-370	AMD-P	91-17-079	173-410-012	AMD	91-05-064	173-491-030	NEW	91-14-101
173-360-380	AMD-P	91-17-079	173-410-021	AMD	91-05-064	173-491-040	NEW-P	91-02-107
173-360-385	AMD-P	91-17-079	173-410-035	AMD	91-05-064	173-491-040	NEW	91-14-101
173-360-390	AMD-P	91-17-079	173-410-040	AMD	91-05-064	173-491-050	NEW-P	91-02-107
173-360-395	AMD-P	91-17-079	173-410-042	REP	91-05-064	173-491-050	NEW	91-14-101
173-360-403	AMD-P	91-17-079	173-410-045	AMD	91-05-064	173-500-080	NEW-E	91-04-080
173-360-473	AMD-P	91-17-079	173-410-062	AMD	91-05-064	173-500-080	NEW-P	91-12-038
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173-360-610	AMD-P	91-17-079	173-410-071	AMD	91-05-064	173-500-080	NEW	91-18-011
173-360-620	NEW-W	91-04-022	173-410-086	AMD	91-05-064	173-548-050	AMD-E	91-04-073
173-360-630	AMD-P	91-17-079	173-410-087	AMD	91-05-064	173-548-050	AMD-P	91-12-039
173-360-650	AMD-P	91-17-079	173-410-100	NEW	91-05-064	173-548-050	AMD-E	91-12-041
173-360-655	AMD-P	91-17-079	173-415-010	AMD	91-05-064	173-548-050	AMD-C	91-15-104
173-360-695	NEW-P	91-17-079	173-415-020	AMD	91-05-064	178-01-010	NEW-E	91-18-003
173-400-010	AMD	91-05-064	173-415-030	AMD	91-05-064	180-25-025	AMD-P	91-08-070
173-400-020	AMD	91-05-064	173-415-040	AMD	91-05-064	180-25-025	AMD	91-12-058
173-400-030	AMD	91-05-064	173-415-041	REP	91-05-064	180-26-020	AMD-P	91-08-071
173-400-040	AMD	91-05-064	173-415-045	AMD	91-05-064	180-26-020	AMD	91-12-057
173-400-050	AMD	91-05-064	173-415-050	AMD	91-05-064	180-26-057	AMD-E	91-15-030
173-400-060	AMD	91-05-064	173-415-051	AMD	91-05-064	180-26-057	AMD-P	91-17-073
173-400-070	AMD	91-05-064	173-415-060	AMD	91-05-064	180-26-058	NEW-E	91-15-030
173-400-075	AMD	91-05-064	173-415-070	AMD	91-05-064	180-26-058	NEW-P	91-17-073
173-400-100	AMD	91-05-064	173-415-080	AMD	91-05-064	180-26-060	AMD-P	91-08-067
173-400-105	AMD	91-05-064	173-433	AMD	91-07-066	180-26-060	AMD	91-12-055
173-400-110	AMD	91-05-064	173-433-030	AMD	91-07-066	180-27-018	AMD-P	91-08-068
173-400-115	AMD	91-05-064	173-433-100	AMD	91-07-066	180-27-018	AMD	91-12-059
173-400-120	AMD	91-05-064	173-433-110	AMD	91-07-066	180-27-032	NEW-P	91-08-069
173-400-131	NEW	91-05-064	173-433-120	AMD	91-07-066	180-27-032	NEW	91-12-056
173-400-136	NEW	91-05-064	173-433-130	AMD	91-07-066	180-27-058	AMD-P	91-08-068
173-400-141	NEW	91-05-064	173-433-140	NEW	91-07-066	180-27-058	AMD	91-12-059
173-400-151	NEW	91-05-064	173-433-150	AMD	91-07-066	180-27-115	AMD-P	91-08-068
173-400-161	NEW	91-05-064	173-433-170	AMD	91-07-066	180-27-115	AMD	91-12-059
173-400-171	NEW	91-05-064	173-460-010	NEW	91-13-079	180-29-107	AMD-P	91-08-067
173-400-180	NEW	91-05-064	173-460-020	NEW	91-13-079	180-29-107	AMD	91-12-055
173-400-190	NEW	91-05-064	173-460-030	NEW	91-13-079	180-29-1075	AMD-E	91-15-030
173-400-200	NEW	91-05-064	173-460-040	NEW	91-13-079	180-29-1075	AMD-P	91-17-073
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173-400-220	NEW	91-05-064	173-460-070	NEW	91-13-079	180-29-115	AMD-E	91-15-030
173-400-230	NEW	91-05-064	173-460-080	NEW	91-13-079	180-29-115	AMD-P	91-17-073
173-400-240	NEW	91-05-064	173-460-090	NEW	91-13-079	180-29-116	NEW-E	91-15-030
173-400-250	NEW	91-05-064	173-460-100	NEW	91-13-079	180-29-116	NEW-P	91-17-073
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173-403-010	REP	91-05-064	173-460-120	NEW	91-13-079	180-33-013	NEW	91-12-058
173-403-020	REP	91-05-064	173-460-130	NEW	91-13-079	180-33-015	AMD-P	91-08-070
173-403-030	REP	91-05-064	173-460-140	NEW	91-13-079	180-33-015	AMD	91-12-058

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180-33-023	NEW-P	91-08-070	192-12-300	AMD-P	91-11-051	212-54-015	REP-E	91-06-021
180-33-023	NEW	91-12-058	192-12-300	AMD-E	91-11-052	212-54-015	REP	91-11-001
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180-33-035	AMD	91-12-058	192-12-305	AMD-P	91-11-051	212-54-020	REP-E	91-06-021
180-44-050	AMD-P	91-05-068	192-12-305	AMD-E	91-11-052	212-54-020	REP	91-11-001
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180-51-085	AMD	91-11-018	192-12-310	AMD-P	91-11-051	212-54-025	REP-E	91-06-021
180-55-005	AMD	91-04-015	192-12-320	AMD-E	91-03-054	212-54-025	REP	91-11-001
180-55-015	AMD	91-04-015	192-12-320	AMD-P	91-11-051	212-54-030	REP-P	91-06-020
180-79-003	AMD	91-04-016	192-12-320	AMD-E	91-11-052	212-54-030	REP-E	91-06-021
180-79-080	AMD	91-04-016	192-12-330	AMD-E	91-03-054	212-54-030	REP	91-11-001
180-79-230	AMD	91-05-056	192-12-330	AMD-P	91-11-051	212-54-035	REP-P	91-06-020
180-79-236	NEW	91-05-056	192-12-330	AMD-E	91-11-052	212-54-035	REP-E	91-06-021
180-79-241	NEW	91-05-056	192-12-370	NEW-E	91-03-054	212-54-035	REP	91-11-001
180-85-005	AMD	91-04-016	192-12-370	NEW-P	91-11-051	212-54-040	REP-P	91-06-020
180-85-045	AMD	91-04-016	192-12-370	NEW-E	91-11-052	212-54-040	REP-E	91-06-021
180-86-100	AMD-P	91-05-024	192-12-380	NEW-P	91-18-071	212-54-040	REP	91-11-001
180-86-100	AMD	91-08-056	192-32-001	NEW-P	91-14-115	212-54-045	REP-P	91-06-020
182-08-111	REP-P	91-11-093	192-32-001	NEW-E	91-14-116	212-54-045	REP-E	91-06-021
182-08-111	REP-P	91-11-094	192-32-010	NEW-P	91-14-115	212-54-045	REP	91-11-001
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182-12-115	AMD	91-14-084	192-32-015	NEW-E	91-14-116	212-54-050	REP	91-11-001
182-12-127	REP-P	91-04-086	192-32-025	NEW-P	91-14-115	212-54-055	REP-P	91-06-020
182-12-127	REP	91-11-010	192-32-025	NEW-E	91-14-116	212-54-055	REP-E	91-06-021
182-12-130	AMD-P	91-11-095	192-32-035	NEW-P	91-14-115	212-54-055	REP	91-11-001
182-12-130	AMD	91-14-084	192-32-035	NEW-E	91-14-116	212-54-060	REP-P	91-06-020
182-12-210	REP-P	91-04-086	192-32-040	NEW-P	91-14-115	212-54-060	REP-E	91-06-021
182-12-210	REP	91-11-010	192-32-040	NEW-E	91-14-116	212-54-060	REP	91-11-001
182-12-215	NEW-P	91-04-086	192-32-045	NEW-P	91-14-115	212-54-065	REP-P	91-06-020
182-12-215	NEW	91-11-010	192-32-045	NEW-E	91-14-116	212-54-065	REP-E	91-06-021
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182-16-050	NEW	91-14-025	192-32-085	NEW-E	91-14-116	212-54-080	REP	91-11-001
182-18-005	NEW-P	91-05-079	192-32-085	NEW-P	91-14-115	212-54-080	REP-P	91-06-020
182-18-005	NEW	91-17-043	192-32-095	NEW-P	91-14-115	212-54-085	REP-E	91-06-021
182-18-010	NEW-P	91-05-079	192-32-095	NEW-E	91-14-116	212-54-085	REP	91-11-001
182-18-010	NEW	91-17-043	192-32-105	NEW-P	91-14-115	212-54-085	REP-P	91-06-020
182-18-020	NEW-P	91-05-079	192-32-105	NEW-E	91-14-116	212-54-090	REP-E	91-06-021
182-18-020	NEW	91-17-043	192-32-115	NEW-P	91-14-115	212-54-090	REP	91-11-001
182-18-030	NEW-P	91-05-079	192-32-115	NEW-E	91-14-116	212-54-090	REP-P	91-06-020
182-18-030	NEW	91-17-043	196-24-060	AMD-P	91-07-064	212-54-095	REP-E	91-06-021
182-18-030	NEW	91-17-043	196-24-060	AMD	91-11-075	212-54-095	REP	91-11-001
182-18-040	NEW-P	91-05-079	196-24-060	AMD-P	91-05-078	212-54-095	REP-P	91-06-020
182-18-040	NEW	91-17-043	196-24-095	AMD-C	91-06-018	212-54-100	REP	91-11-001
182-18-050	NEW-P	91-05-079	196-24-095	AMD	91-11-099	212-54-100	REP-P	91-06-020
182-18-050	NEW	91-17-043	196-24-097	NEW-P	91-05-078	212-54-100	REP-E	91-06-021
182-18-060	NEW-P	91-05-079	196-24-097	NEW-C	91-06-018	212-54-100	REP	91-11-001
182-18-060	NEW	91-17-043	196-24-097	NEW-W	91-11-098	212-55-001	REP-P	91-06-020
182-18-070	NEW-P	91-05-079	196-24-098	PREP	91-05-041	212-55-001	REP-E	91-06-021
182-18-070	NEW	91-17-043	196-26-020	AMD-P	91-07-065	212-55-001	REP	91-11-001
182-18-080	NEW-P	91-05-079	196-26-020	AMD	91-10-046	212-55-005	REP-P	91-06-020
182-18-080	NEW	91-17-043	196-26-020	AMD	91-10-046	212-55-005	REP-E	91-06-021
182-18-090	NEW-P	91-05-079	196-26-030	AMD-P	91-07-065	212-55-005	REP	91-11-001
182-18-090	NEW	91-17-043	196-26-030	AMD	91-10-046	212-55-010	REP-P	91-06-020
182-18-100	NEW-P	91-05-079	204-10-040	AMD-P	91-16-100	212-55-010	REP-E	91-06-021
182-18-100	NEW	91-17-043	204-24-050	AMD-P	91-10-053	212-55-010	REP	91-11-001
182-18-110	NEW-P	91-05-079	204-24-050	AMD	91-14-004	212-55-010	REP-P	91-06-020
182-18-110	NEW	91-17-043	204-53-010	NEW	91-05-019	212-55-015	REP-E	91-06-021
182-18-120	NEW-P	91-05-079	204-88-030	AMD-P	91-10-015	212-55-015	REP	91-11-001
182-18-120	NEW	91-17-043	204-88-030	AMD	91-14-003	212-55-015	REP-P	91-06-020
182-18-130	NEW-P	91-05-079	212-12-010	AMD-W	91-05-043	212-55-020	REP-E	91-06-021
182-18-130	NEW	91-17-043	212-54-001	REP-P	91-06-020	212-55-020	REP	91-11-001
182-18-140	NEW-P	91-05-079	212-54-001	REP-E	91-06-021	212-55-025	REP-P	91-06-020
182-18-140	NEW	91-17-043	212-54-001	REP	91-11-001	212-55-025	REP-E	91-06-021
182-18-150	NEW-P	91-05-079	212-54-005	REP-P	91-06-020	212-55-025	REP	91-11-001
182-18-150	NEW	91-17-043	212-54-005	REP-E	91-06-021	212-55-030	REP-P	91-06-020
182-18-160	NEW-P	91-05-079	212-54-010	REP	91-11-001	212-55-030	REP-E	91-06-021
182-18-160	NEW	91-17-043	212-54-010	REP-P	91-06-020	212-55-030	REP	91-11-001
			212-54-010	REP-E	91-06-021	212-55-035	REP-P	91-06-020



Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
212-55-035	REP-E	91-06-021	212-56A-070	NEW-P	91-06-020	212-80-050	NEW	91-14-086
212-55-035	REP	91-11-001	212-56A-070	NEW-E	91-06-021	212-80-055	NEW-P	91-10-083
212-55-040	REP-P	91-06-020	212-56A-070	NEW	91-11-001	212-80-055	NEW-E	91-10-084
212-55-040	REP-E	91-06-021	212-56A-075	NEW-P	91-06-020	212-80-055	NEW	91-14-086
212-55-040	REP	91-11-001	212-56A-075	NEW-E	91-06-021	212-80-060	NEW-P	91-10-083
212-55-045	REP-P	91-06-020	212-56A-075	NEW	91-11-001	212-80-060	NEW-E	91-10-084
212-55-045	REP-E	91-06-021	212-56A-080	NEW-P	91-06-020	212-80-060	NEW	91-14-086
212-55-045	REP	91-11-001	212-56A-080	NEW-E	91-06-021	212-80-065	NEW-P	91-10-083
212-55-050	REP-P	91-06-020	212-56A-080	NEW	91-11-001	212-80-065	NEW-E	91-10-084
212-55-050	REP-E	91-06-021	212-56A-085	NEW-P	91-06-020	212-80-065	NEW	91-14-086
212-55-050	REP	91-11-001	212-56A-085	NEW-E	91-06-021	212-80-070	NEW-P	91-10-083
212-55-055	REP-P	91-06-020	212-56A-085	NEW	91-11-001	212-80-070	NEW-E	91-10-084
212-55-055	REP-E	91-06-021	212-56A-090	NEW-P	91-06-020	212-80-070	NEW	91-14-086
212-55-055	REP	91-11-001	212-56A-090	NEW-E	91-06-021	212-80-075	NEW-P	91-10-083
212-55-060	REP-P	91-06-020	212-56A-090	NEW	91-11-001	212-80-075	NEW-E	91-10-084
212-55-060	REP-E	91-06-021	212-56A-095	NEW-P	91-06-020	212-80-075	NEW	91-14-086
212-55-060	REP	91-11-001	212-56A-095	NEW-E	91-06-021	212-80-080	NEW-P	91-10-083
212-55-065	REP-P	91-06-020	212-56A-095	NEW	91-11-001	212-80-080	NEW-E	91-10-084
212-55-065	REP-E	91-06-021	212-56A-100	NEW-P	91-06-020	212-80-080	NEW	91-14-086
212-55-065	REP	91-11-001	212-56A-100	NEW-E	91-06-021	212-80-085	NEW-P	91-10-083
212-55-070	REP-P	91-06-020	212-56A-100	NEW	91-11-001	212-80-085	NEW-E	91-10-084
212-55-070	REP-E	91-06-021	212-56A-105	NEW-P	91-06-020	212-80-085	NEW	91-14-086
212-55-070	REP	91-11-001	212-56A-105	NEW-E	91-06-021	212-80-090	NEW-P	91-10-083
212-55-075	REP-P	91-06-020	212-56A-105	NEW	91-11-001	212-80-090	NEW-E	91-10-084
212-55-075	REP-E	91-06-021	212-56A-110	NEW-P	91-06-020	212-80-090	NEW	91-14-086
212-55-075	REP	91-11-001	212-56A-110	NEW-E	91-06-021	212-80-095	NEW-P	91-10-083
212-55-080	REP-P	91-06-020	212-56A-110	NEW	91-11-001	212-80-095	NEW-E	91-10-084
212-55-080	REP-E	91-06-021	212-56A-115	NEW-P	91-06-020	212-80-095	NEW	91-14-086
212-55-080	REP	91-11-001	212-56A-115	NEW-E	91-06-021	212-80-100	NEW-P	91-10-083
212-55-085	REP-P	91-06-020	212-56A-115	NEW	91-11-001	212-80-100	NEW-E	91-10-084
212-55-085	REP-E	91-06-021	212-56A-120	NEW-P	91-06-020	212-80-100	NEW	91-14-086
212-55-085	REP	91-11-001	212-56A-120	NEW-E	91-06-021	212-80-105	NEW-P	91-10-083
212-55-090	REP-P	91-06-020	212-56A-120	NEW	91-11-001	212-80-105	NEW-E	91-10-084
212-55-090	REP-E	91-06-021	212-56A-125	NEW-P	91-06-020	212-80-105	NEW	91-14-086
212-55-090	REP	91-11-001	212-56A-125	NEW-E	91-06-021	212-80-110	NEW-P	91-10-083
212-55-095	REP-P	91-06-020	212-56A-125	NEW	91-11-001	212-80-110	NEW-E	91-10-084
212-55-095	REP-E	91-06-021	212-56A-130	NEW-P	91-06-020	212-80-110	NEW	91-14-086
212-55-095	REP	91-11-001	212-56A-130	NEW-E	91-06-021	212-80-115	NEW-P	91-10-083
212-56A-001	NEW-P	91-06-020	212-56A-130	NEW	91-11-001	212-80-115	NEW-E	91-10-084
212-56A-001	NEW-E	91-06-021	212-56A-135	NEW-P	91-06-020	212-80-115	NEW	91-14-086
212-56A-001	NEW	91-11-001	212-56A-135	NEW-E	91-06-021	212-80-120	NEW-P	91-10-083
212-56A-005	NEW-P	91-06-020	212-56A-135	NEW	91-11-001	212-80-120	NEW-E	91-10-084
212-56A-005	NEW-E	91-06-021	212-56A-140	NEW-P	91-06-020	212-80-120	NEW	91-14-086
212-56A-005	NEW	91-11-001	212-56A-140	NEW-E	91-06-021	212-80-125	NEW-P	91-10-083
212-56A-010	NEW-P	91-06-020	212-56A-140	NEW	91-11-001	212-80-125	NEW-E	91-10-084
212-56A-010	NEW-E	91-06-021	212-80-001	NEW-P	91-10-083	212-80-125	NEW	91-14-086
212-56A-010	NEW	91-11-001	212-80-001	NEW-E	91-10-084	212-80-130	NEW-P	91-10-083
212-56A-015	NEW-P	91-06-020	212-80-001	NEW	91-14-086	212-80-130	NEW-E	91-10-084
212-56A-015	NEW-E	91-06-021	212-80-005	NEW-P	91-10-083	212-80-130	NEW	91-14-086
212-56A-015	NEW	91-11-001	212-80-005	NEW-E	91-10-084	212-80-135	NEW-P	91-10-083
212-56A-020	NEW-P	91-06-020	212-80-005	NEW	91-14-086	212-80-135	NEW-E	91-10-084
212-56A-020	NEW-E	91-06-021	212-80-010	NEW-P	91-10-083	212-80-135	NEW	91-14-086
212-56A-020	NEW	91-11-001	212-80-010	NEW-E	91-10-084	220-12-020	AMD-P	91-05-102
212-56A-030	NEW-P	91-06-020	212-80-010	NEW	91-14-086	220-12-020	AMD	91-10-024
212-56A-030	NEW-E	91-06-021	212-80-015	NEW-P	91-10-083	220-16-055	REP-P	91-03-151
212-56A-030	NEW	91-11-001	212-80-015	NEW-E	91-10-084	220-16-055	REP	91-08-053
212-56A-035	NEW-P	91-06-020	212-80-015	NEW	91-14-086	220-16-220	AMD-P	91-03-153
212-56A-035	NEW-E	91-06-021	212-80-020	NEW-P	91-10-083	220-16-220	AMD	91-08-054
212-56A-035	NEW	91-11-001	212-80-020	NEW-E	91-10-084	220-16-257	AMD-P	91-03-153
212-56A-040	NEW-P	91-06-020	212-80-020	NEW	91-14-086	220-16-257	AMD	91-08-054
212-56A-040	NEW-E	91-06-021	212-80-025	NEW-P	91-10-083	220-20-010	AMD-P	91-03-153
212-56A-040	NEW	91-11-001	212-80-025	NEW-E	91-10-084	220-20-010	AMD	91-08-054
212-56A-045	NEW-P	91-06-020	212-80-025	NEW	91-14-086	220-20-017	AMD-P	91-11-056
212-56A-045	NEW-E	91-06-021	212-80-030	NEW-P	91-10-083	220-20-017	AMD	91-16-070
212-56A-045	NEW	91-11-001	212-80-030	NEW-E	91-10-084	220-20-01700A	NEW-E	91-03-108
212-56A-050	NEW-P	91-06-020	212-80-030	NEW	91-14-086	220-20-01700A	REP-E	91-10-071
212-56A-050	NEW-E	91-06-021	212-80-035	NEW-P	91-10-083	220-20-01700B	NEW-E	91-10-071
212-56A-050	NEW	91-11-001	212-80-035	NEW-E	91-10-084	220-24-02000D	NEW-E	91-10-058
212-56A-055	NEW-P	91-06-020	212-80-035	NEW	91-14-086	220-24-02000D	REP-E	91-15-115
212-56A-055	NEW-E	91-06-021	212-80-040	NEW-P	91-10-083	220-24-02000E	NEW-E	91-15-115
212-56A-055	NEW	91-11-001	212-80-040	NEW-E	91-10-084	220-24-02000E	REP-E	91-17-004
212-56A-060	NEW-P	91-06-020	212-80-040	NEW	91-14-086	220-24-02000F	NEW-E	91-17-004
212-56A-060	NEW-E	91-06-021	212-80-045	NEW-P	91-10-083	220-24-02000F	REP-E	91-17-017
212-56A-060	NEW	91-11-001	212-80-045	NEW-E	91-10-084	220-24-02000G	NEW-E	91-17-017
212-56A-065	NEW-P	91-06-020	212-80-045	NEW	91-14-086	220-24-02000G	REP-E	91-17-090
212-56A-065	NEW-E	91-06-021	212-80-050	NEW-P	91-10-083	220-24-02000H	NEW-E	91-17-090
212-56A-065	NEW	91-11-001	212-80-050	NEW-E	91-10-084	220-24-02000H	REP-E	91-18-032



Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
220-24-02000I	NEW-E	91-18-032	220-48-029	AMD	91-13-051	220-56-19000F	NEW-E	91-14-008
220-24-02000I	REP-E	91-18-082	220-48-03200A	NEW-E	91-18-073	220-56-19000F	REP-E	91-15-095
220-24-02000J	NEW-E	91-18-082	220-49-02300A	NEW-E	91-10-014	220-56-19000G	NEW-E	91-14-048
220-32-05100D	REP-E	91-04-031	220-49-056	AMD-P	91-09-064	220-56-19000G	REP-E	91-14-118
220-32-05100E	NEW-E	91-04-031	220-49-056	AMD	91-12-051	220-56-19000H	NEW-E	91-14-118
220-32-05100F	NEW-E	91-17-001	220-49-063	AMD-P	91-02-108	220-56-19000H	REP-E	91-17-003
220-32-05500W	NEW-E	91-10-011	220-49-063	AMD	91-05-016	220-56-19000I	NEW-E	91-15-095
220-32-05500W	REP-E	91-11-014	220-52-020	AMD-P	91-05-102	220-56-19000I	REP-E	91-16-007
220-32-05500X	NEW-E	91-11-014	220-52-020	AMD	91-10-024	220-56-19000J	NEW-E	91-16-007
220-32-05500X	REP-E	91-11-076	220-52-030	AMD-P	91-05-102	220-56-19000J	REP-E	91-17-002
220-32-05500Y	NEW-E	91-11-076	220-52-030	AMD	91-10-024	220-56-19000K	NEW-E	91-17-002
220-32-05500Y	REP-E	91-12-004	220-52-03000G	NEW-E	91-08-024	220-56-19000K	REP-E	91-18-009
220-32-05500Z	NEW-E	91-12-004	220-52-040	AMD-P	91-05-102	220-56-19000L	NEW-E	91-17-003
220-32-05700F	NEW-E	91-03-083	220-52-040	AMD	91-10-024	220-56-19000M	NEW-E	91-18-009
220-32-05700F	REP-E	91-10-058	220-52-046	AMD-P	91-05-102	220-56-19000M	REP-E	91-18-031
220-32-05700G	NEW-E	91-08-065	220-52-046	AMD	91-10-024	220-56-19000N	NEW-E	91-18-031
220-32-05700G	REP-E	91-11-013	220-52-051	AMD-P	91-11-111	220-56-19500A	NEW-E	91-17-003
220-32-05700H	NEW-E	91-11-013	220-52-051	AMD-C	91-15-031	220-56-205	AMD-P	91-03-153
220-33-01000V	NEW-E	91-05-005	220-52-051	AMD	91-18-030	220-56-205	AMD	91-08-054
220-33-01000V	REP-E	91-05-036	220-52-05100G	NEW-E	91-10-094	220-56-232	NEW-P	91-03-152
220-33-01000W	NEW-E	91-05-036	220-52-05100H	NEW-E	91-11-044	220-56-232	NEW-W	91-16-080
220-33-01000X	NEW-E	91-17-056	220-52-05100H	REP-E	91-15-096	220-56-235	AMD-P	91-03-153
220-33-01000X	REP-E	91-18-039	220-52-05100I	NEW-E	91-15-096	220-56-235	AMD-C	91-08-051
220-33-03000C	NEW-E	91-11-100	220-52-060	AMD-P	91-05-102	220-56-235	AMD	91-08-054
220-40-02700A	NEW-E	91-17-055	220-52-060	AMD	91-10-024	220-56-235	AMD-C	91-14-045
220-40-030	AMD-P	91-03-153	220-52-069	AMD-P	91-05-102	220-56-23500F	NEW-E	91-04-030
220-40-030	AMD	91-08-054	220-52-069	AMD	91-10-024	220-56-240	AMD-P	91-03-153
220-40-031	AMD-P	91-03-153	220-52-071	AMD-P	91-05-102	220-56-240	AMD	91-08-054
220-40-031	AMD	91-08-054	220-52-071	AMD	91-10-024	220-56-24500J	NEW-E	91-14-007
220-44-030	AMD-W	91-11-027	220-52-071	AMD-P	91-11-111	220-56-250	AMD-P	91-03-153
220-44-050	AMD-P	91-03-152	220-52-071	AMD-C	91-15-031	220-56-250	AMD	91-08-054
220-44-050	AMD	91-07-050	220-52-071	AMD	91-18-030	220-56-25500J	NEW-E	91-14-007
220-44-050	AMD-W	91-11-027	220-52-07100I	NEW-E	91-11-015	220-56-282	AMD-P	91-03-153
220-44-05000I	REP-E	91-08-023	220-52-07100I	REP-E	91-11-055	220-56-282	AMD	91-08-054
220-44-05000J	NEW-E	91-08-023	220-52-07100J	NEW-E	91-11-055	220-56-32500S	NEW-E	91-10-094
220-44-05000J	REP-E	91-10-012	220-52-073	AMD-P	91-05-102	220-56-32500T	NEW-E	91-16-006
220-44-05000K	NEW-E	91-10-012	220-52-073	AMD	91-10-024	220-56-350	AMD-P	91-03-153
220-44-05000K	REP-E	91-11-077	220-52-073	AMD-P	91-11-111	220-56-350	AMD	91-08-054
220-44-05000L	NEW-E	91-11-077	220-52-073	AMD-C	91-15-031	220-56-35000M	NEW-E	91-15-047
220-44-05000L	REP-E	91-14-026	220-52-073	AMD-C	91-18-029	220-56-36000W	NEW-E	91-06-057
220-44-05000M	NEW-E	91-14-026	220-52-07300I	REP-E	91-04-029	220-56-36000W	REP-E	91-10-049
220-44-05000M	REP-E	91-16-041	220-52-07300J	NEW-E	91-04-029	220-56-36000X	NEW-E	91-10-049
220-44-05000N	NEW-E	91-16-041	220-52-075	AMD-P	91-05-102	220-56-380	AMD-P	91-03-153
220-47-304	AMD-P	91-13-031	220-52-075	AMD	91-10-024	220-56-380	AMD	91-08-054
220-47-304	AMD	91-18-024	220-55-055	AMD-P	91-03-153	220-56-38000J	NEW-E	91-14-039
220-47-307	AMD-P	91-13-031	220-55-055	AMD	91-08-054	220-57-14000N	NEW-E	91-11-045
220-47-307	AMD	91-18-024	220-55-065	AMD-P	91-03-153	220-57-16000H	NEW-E	91-08-002
220-47-310	NEW	91-18-024	220-55-065	AMD	91-08-054	220-57-16000I	NEW-E	91-14-078
220-47-311	AMD-P	91-13-031	220-55-070	AMD-P	91-03-153	220-57-16000J	NEW-E	91-18-038
220-47-311	AMD	91-18-024	220-55-070	AMD	91-08-054	220-57-195	AMD-P	91-03-151
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232-28-61812	REP-P	91-12-049	236-54-130	REP-P	91-17-053	246-205-990	NEW	91-04-007
232-28-61813	REP-P	91-12-049	236-54-140	REP-P	91-17-053	246-220-007	AMD-P	91-11-081
232-28-61815	REP-P	91-12-049	236-54-150	REP-P	91-17-053	246-220-007	AMD	91-15-112
232-28-61817	REP-P	91-12-049	236-54-990	REP-P	91-17-053	246-220-010	AMD-P	91-11-081
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232-28-61813	NEW	91-05-002	236-100-010	NEW-P	91-05-101	246-220-090	AMD-P	91-11-081
232-28-61815	NEW	91-05-001	236-100-010	NEW	91-08-057	246-220-090	AMD	91-15-112
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246-243-160	AMD-P	91-11-081	246-250-130	AMD	91-16-109	246-430-010	NEW-P	91-15-005
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246-244-001	AMD-P	91-11-081	246-250-350	AMD	91-16-109	246-453-060	NEW	91-05-048
246-244-001	AMD	91-15-112	246-250-600	AMD-P	91-11-083	246-453-070	AMD	91-05-048
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246-244-060	AMD-P	91-11-081	246-252-010	AMD	91-16-109	246-491-039	AMD-P	91-16-105
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246-250-050	AMD-P	91-11-083	246-338-030	AMD-P	91-17-083	246-806-060	RECOD	91-05-026
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246-807-030	RECOD	91-05-095	246-824-080	AMD	91-09-024	246-834-990	AMD-P	91-08-078
246-807-040	RECOD	91-05-095	246-826-990	AMD-P	91-08-078	246-834-990	AMD	91-13-002
246-807-050	RECOD	91-05-095	246-826-990	AMD	91-13-002	246-838-026	NEW-P	91-09-014
246-807-060	RECOD	91-05-095	246-828-020	RECOD-P	91-07-058	246-838-026	NEW	91-13-023
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246-807-080	RECOD	91-05-095	246-828-030	RECOD-P	91-07-058	246-838-040	AMD	91-13-023
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246-807-100	RECOD	91-05-095	246-828-040	RECOD-P	91-07-058	246-838-060	AMD	91-13-023
246-807-110	RECOD	91-05-095	246-828-040	RECOD	91-11-031	246-838-070	AMD-P	91-09-014
246-807-120	RECOD	91-05-095	246-828-050	RECOD-P	91-07-058	246-838-070	AMD	91-13-023
246-807-130	RECOD	91-05-095	246-828-050	RECOD	91-11-031	246-838-090	AMD-P	91-09-014
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246-807-160	RECOD	91-05-095	246-828-070	RECOD-P	91-07-058	246-838-100	AMD	91-13-023
246-807-170	RECOD	91-05-095	246-828-070	RECOD	91-11-031	246-838-110	AMD-P	91-09-014
246-807-170	REP	91-10-051	246-828-080	RECOD-P	91-07-058	246-838-110	AMD	91-13-023
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246-807-190	RECOD	91-05-095	246-828-110	RECOD-P	91-07-058	246-838-210	AMD	91-13-023
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246-807-210	RECOD	91-05-095	246-828-120	RECOD-P	91-07-058	246-838-250	AMD	91-13-023
246-807-220	RECOD	91-05-095	246-828-120	RECOD	91-11-031	246-838-260	AMD-P	91-09-014
246-807-230	RECOD	91-05-095	246-828-130	RECOD-P	91-07-058	246-838-260	AMD	91-13-023
246-807-240	RECOD	91-05-095	246-828-130	RECOD	91-11-031	246-838-270	AMD-P	91-09-014
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246-807-380	RECOD	91-05-095	246-828-200	RECOD	91-11-031	246-839-100	RECOD	91-07-049
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246-839-720	RECOD	91-07-049	246-847-010	RECOD	91-05-027	246-851-990	AMD-P	91-08-078
246-839-730	RECOD	91-07-049	246-847-010	AMD	91-11-064	246-851-990	AMD	91-13-002
246-839-740	RECOD	91-07-049	246-847-020	RECOD	91-05-027	246-853-020	AMD	91-10-043
246-839-750	RECOD	91-07-049	246-847-030	RECOD	91-05-027	246-853-040	AMD-P	91-14-088
246-839-760	RECOD	91-07-049	246-847-040	RECOD	91-05-027	246-853-100	AMD-P	91-14-088
246-839-770	RECOD	91-07-049	246-847-040	AMD	91-11-064	246-853-130	AMD-P	91-14-088
246-839-780	RECOD	91-07-049	246-847-040	AMD-P	91-18-080	246-853-180	AMD-P	91-14-088
246-839-800	RECOD	91-07-049	246-847-050	RECOD	91-05-027	246-853-190	AMD-P	91-14-088
246-839-810	RECOD	91-07-049	246-847-050	AMD	91-11-064	246-853-210	AMD-P	91-14-088
246-839-820	RECOD	91-07-049	246-847-050	AMD-P	91-18-080	246-853-230	AMD-P	91-14-088
246-839-830	RECOD	91-07-049	246-847-060	RECOD	91-05-027	246-853-240	AMD-P	91-14-088
246-839-840	NEW	91-07-067	246-847-060	AMD-P	91-18-080	246-853-250	NEW-P	91-03-117
246-839-850	NEW	91-07-067	246-847-065	RECOD	91-05-027	246-853-260	NEW-P	91-03-117
246-839-860	NEW	91-07-067	246-847-065	AMD	91-11-064	246-853-260	NEW	91-10-043
246-839-870	NEW	91-07-067	246-847-070	RECOD	91-05-027	246-853-270	NEW-P	91-03-117
246-839-880	NEW	91-07-067	246-847-080	RECOD	91-05-027	246-853-270	NEW	91-10-043
246-839-890	NEW	91-07-067	246-847-090	RECOD	91-05-027	246-853-280	NEW-P	91-03-117
246-839-900	NEW	91-07-067	246-847-100	RECOD	91-05-027	246-853-280	NEW-W	91-10-039
246-839-990	RECOD	91-07-048	246-847-110	RECOD	91-05-027	246-853-290	NEW-P	91-03-117
246-841-400	RECOD	91-07-049	246-847-110	AMD	91-11-064	246-853-290	NEW	91-10-043
246-841-410	RECOD	91-07-049	246-847-115	NEW-P	91-18-080	246-853-300	NEW-P	91-03-117
246-841-420	RECOD	91-07-049	246-847-120	RECOD	91-05-027	246-853-300	NEW	91-10-043
246-841-430	RECOD	91-07-049	246-847-130	RECOD	91-05-027	246-853-310	NEW-P	91-03-117
246-841-440	RECOD	91-07-049	246-847-140	RECOD	91-05-027	246-853-310	NEW	91-10-043
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246-841-460	RECOD	91-07-049	246-847-160	RECOD	91-05-027	246-853-320	NEW	91-10-043
246-841-470	RECOD	91-07-049	246-847-170	RECOD	91-05-027	246-853-330	NEW-P	91-03-117
246-841-480	RECOD	91-07-049	246-847-180	RECOD	91-05-027	246-853-330	NEW	91-10-043
246-841-490	RECOD	91-07-049	246-847-190	RECOD	91-05-027	246-853-340	NEW-P	91-03-117
246-841-500	RECOD	91-07-049	246-847-200	RECOD	91-05-027	246-853-340	NEW	91-10-043
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246-842-120	RECOD	91-07-049	246-851	RECOD-C	91-03-116	246-853-990	AMD	91-13-002
246-842-130	RECOD	91-07-049	246-851-020	RECOD	91-06-025	246-853-990	AMD-P	91-16-104
246-842-140	RECOD	91-07-049	246-851-030	RECOD	91-06-025	246-854-020	AMD-P	91-14-088
246-842-150	RECOD	91-07-049	246-851-040	RECOD	91-06-025	246-854-030	AMD-P	91-14-088
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246-843-090	RECOD	91-06-060	246-851-190	RECOD	91-06-025	246-857-040	RECOD	91-18-057
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246-843-110	RECOD	91-06-060	246-851-220	RECOD	91-06-025	246-857-060	RECOD-P	91-14-033
246-843-120	RECOD	91-06-060	246-851-230	RECOD	91-06-025	246-857-060	RECOD	91-18-057
246-843-125	RECOD	91-06-060	246-851-240	RECOD	91-06-025	246-857-070	RECOD-P	91-14-033
246-843-130	RECOD	91-06-060	246-851-250	RECOD	91-06-025	246-857-070	RECOD	91-18-057
246-843-150	RECOD	91-06-060	246-851-260	RECOD	91-06-025	246-857-080	RECOD-P	91-14-033
246-843-155	RECOD	91-06-060	246-851-270	RECOD	91-06-025	246-857-080	RECOD	91-18-057
246-843-160	RECOD	91-06-060	246-851-280	RECOD	91-06-025	246-857-090	RECOD-P	91-14-033
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246-843-170	RECOD	91-06-060	246-851-300	RECOD	91-06-025	246-857-100	RECOD-P	91-14-033
246-843-180	RECOD	91-06-060	246-851-310	RECOD	91-06-025	246-857-100	RECOD	91-18-057
246-843-200	RECOD	91-06-060	246-851-320	RECOD	91-06-025	246-857-110	RECOD-P	91-14-033
246-843-205	RECOD	91-06-060	246-851-330	RECOD	91-06-025	246-857-110	RECOD	91-18-057
246-843-220	RECOD	91-06-060	246-851-340	RECOD	91-06-025	246-857-120	RECOD-P	91-14-033
246-843-225	RECOD	91-06-060	246-851-350	RECOD	91-06-025	246-857-120	RECOD	91-18-057
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246-843-320	RECOD	91-06-060	246-851-390	RECOD	91-06-025	246-857-140	RECOD	91-18-057
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246-901-020	RECOD 91-18-057	246-915-990	AMD 91-13-002	246-920-860	REP-P 91-16-033
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246-915-080	AMD 91-05-094	246-918-240	RECOD 91-06-030	246-922-240	AMD 91-10-041
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246-915-130	AMD 91-05-094	246-918-260	RECOD 91-06-030	246-922-250	AMD 91-10-041
246-915-140	AMD 91-05-094	246-918-270	RECOD 91-06-030	246-922-260	RECOD 91-03-095
246-915-150	AMD 91-05-094	246-918-280	RECOD 91-06-030	246-922-260	AMD 91-10-041
246-915-160	AMD 91-05-094	246-918-290	RECOD 91-06-030	246-922-270	RECOD 91-03-095
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246-924-150	RECOD	91-04-020	250-44-050	AMD-E	91-04-045	251-19-160	AMD-C	91-05-060
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246-924-170	RECOD	91-04-020	250-44-110	AMD-E	91-04-045	251-22-112	AMD-P	91-10-060
246-924-180	NEW	91-04-021	250-44-110	AMD	91-14-009	251-22-112	AMD	91-13-012
246-924-190	NEW	91-04-021	250-44-130	AMD-E	91-04-045	251-22-170	AMD-E	91-13-013
246-924-200	RECOD	91-04-020	250-44-130	AMD	91-14-009	251-22-170	AMD-P	91-13-095
246-924-210	RECOD	91-04-020	250-76	NEW-C	91-03-087	251-22-170	AMD	91-16-054
246-924-220	NEW	91-04-021	250-76-010	NEW-W	91-11-073	251-22-215	NEW-P	91-10-059
246-924-230	RECOD	91-04-020	250-76-020	NEW-W	91-11-073	251-22-215	NEW	91-13-011
246-924-240	RECOD	91-04-020	250-76-030	NEW-W	91-11-073	251-22-250	AMD-P	91-10-060
246-924-250	RECOD	91-04-020	250-76-040	NEW-W	91-11-073	251-22-250	AMD	91-13-012
246-924-260	RECOD	91-04-020	250-76-050	NEW-W	91-11-073	251-24-030	AMD-C	91-05-054
246-924-270	RECOD	91-04-020	250-76-060	NEW-W	91-11-073	251-24-030	AMD-C	91-05-059
246-924-280	RECOD	91-04-020	250-77-010	NEW-P	91-09-061	251-24-030	AMD	91-10-001
246-924-290	RECOD	91-04-020	250-77-010	NEW	91-12-005	260-20-080	REP-P	91-08-073
246-924-300	NEW	91-04-021	250-77-015	NEW-P	91-09-061	260-20-080	REP	91-17-074
246-924-310	NEW	91-04-021	250-77-015	NEW	91-12-005	260-32-190	AMD-P	91-08-073
246-924-320	NEW	91-04-021	250-77-020	NEW-P	91-09-061	260-32-190	AMD	91-15-036
246-924-330	NEW	91-04-021	250-77-020	NEW	91-12-005	260-36-190	NEW	91-03-033
246-924-340	NEW	91-04-021	250-77-025	NEW-P	91-09-061	260-36-200	NEW	91-03-033
246-924-350	RECOD	91-04-020	250-77-025	NEW	91-12-005	260-60-060	AMD-W	91-03-064
246-924-360	RECOD	91-04-020	250-77-030	NEW-P	91-09-061	260-75-010	NEW-P	91-08-073
246-924-370	RECOD	91-04-020	250-77-030	NEW	91-12-005	260-75-010	NEW	91-15-036
246-924-380	RECOD	91-04-020	250-77-035	NEW-P	91-09-061	263-12-005	AMD-P	91-09-062
246-924-390	RECOD	91-04-020	250-77-035	NEW	91-12-005	263-12-005	AMD	91-13-038
246-924-400	RECOD	91-04-020	250-77-040	NEW-P	91-09-061	263-12-007	AMD-P	91-09-062
246-924-410	RECOD	91-04-020	250-77-040	NEW	91-12-005	263-12-007	AMD	91-13-038
246-924-420	RECOD	91-04-020	250-77-045	NEW-P	91-09-061	263-12-010	AMD-P	91-09-062
246-924-430	RECOD	91-04-020	250-77-045	NEW	91-12-005	263-12-010	AMD	91-13-038
246-924-440	RECOD	91-04-020	250-77-050	NEW-P	91-09-061	263-12-015	AMD-P	91-09-062
246-924-450	RECOD	91-04-020	250-77-050	NEW	91-12-005	263-12-015	AMD	91-13-038
246-924-460	RECOD	91-04-020	250-78-010	NEW-E	91-15-073	263-12-01501	NEW-P	91-09-062
246-924-470	RECOD	91-04-020	250-78-010	NEW-P	91-16-088	263-12-01501	NEW	91-13-038
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246-924-990	AMD	91-13-002	250-78-030	NEW-P	91-16-088	263-12-017	AMD	91-13-038
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246-930-010	NEW	91-11-063	250-78-040	NEW-P	91-16-088	263-12-020	AMD	91-13-038
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246-930-030	NEW-P	91-06-091	250-78-060	NEW-E	91-15-073	263-12-050	AMD-P	91-09-062
246-930-030	NEW	91-11-063	250-78-060	NEW-P	91-16-088	263-12-050	AMD	91-13-038
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246-930-075	NEW-P	91-16-106	251-08-112	AMD	91-13-011	263-12-058	NEW	91-13-038
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263-12-080	AMD-P	91-09-062	275-26-060	AMD	91-17-005	275-36-065	REP-P	91-10-035
263-12-080	AMD	91-13-038	275-26-065	AMD-P	91-10-035	275-36-065	REP	91-17-005
263-12-090	AMD-P	91-09-062	275-26-065	AMD	91-17-005	275-36-071	REP-P	91-10-035
263-12-090	AMD	91-13-038	275-26-070	AMD-P	91-10-035	275-36-071	REP	91-17-005
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263-12-093	AMD-P	91-09-062	275-26-071	NEW	91-17-005	275-36-091	REP-P	91-10-035
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263-12-095	AMD	91-13-038	275-26-073	NEW-P	91-10-035	275-36-101	REP	91-17-005
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263-12-115	AMD	91-13-038	275-26-075	AMD-P	91-10-035	275-36-110	REP	91-17-005
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263-12-125	AMD	91-13-038	275-26-080	REP-P	91-10-035	275-36-120	REP	91-17-005
263-12-145	AMD-P	91-09-062	275-26-080	REP	91-17-005	275-36-130	REP-P	91-10-035
263-12-145	AMD	91-13-038	275-26-085	REP-P	91-10-035	275-36-130	REP	91-17-005
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263-12-165	AMD-P	91-09-062	275-26-090	REP	91-17-005	275-36-153	REP-P	91-10-035
263-12-165	AMD	91-13-038	275-26-095	AMD-P	91-10-035	275-36-153	REP	91-17-005
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275-16-030	AMD-P	91-14-065	275-26-500	REP-P	91-10-035	275-36-200	REP	91-17-005
275-16-030	AMD-E	91-14-069	275-26-500	REP	91-17-005	275-36-211	REP-P	91-10-035
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275-16-030	AMD-P	91-18-048	275-26-520	REP	91-17-005	275-36-260	REP-P	91-10-035
275-16-030	AMD-E	91-18-051	275-26-530	REP-P	91-10-035	275-36-260	REP	91-17-005
275-25	AMD-C	91-15-013	275-26-530	REP	91-17-005	275-36-270	REP-P	91-10-035
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275-25-030	AMD-P	91-10-035	275-26-560	REP-P	91-10-035	275-36-280	REP	91-17-005
275-25-030	AMD	91-17-005	275-26-560	REP	91-17-005	275-36-285	REP-P	91-10-035
275-25-520	AMD-P	91-10-035	275-26-570	REP-P	91-10-035	275-36-285	REP	91-17-005
275-25-520	AMD	91-17-005	275-26-570	REP	91-17-005	275-36-290	REP-P	91-10-035
275-25-530	AMD-P	91-10-035	275-27	AMD-C	91-15-013	275-36-290	REP	91-17-005
275-25-530	AMD	91-17-005	275-27-020	AMD-P	91-10-035	275-36-295	REP-P	91-10-035
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275-26-005	AMD-P	91-10-035	275-27-060	AMD-P	91-10-035	275-36-305	REP-P	91-10-035
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275-26-010	AMD	91-17-005	275-27-230	AMD	91-17-005	275-36-310	REP	91-17-005
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275-26-019	NEW	91-17-005	275-27-320	REP	91-17-005	275-38-003	NEW	91-17-005
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275-26-020	AMD	91-17-005	275-27-500	AMD	91-17-005	275-38-005	AMD	91-17-005
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275-26-022	AMD	91-17-005	275-36-010	REP-P	91-10-035	275-38-040	REP-P	91-10-035
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296-115	AMD-P	91-17-068	296-155-481	NEW-P	91-17-068	308-14-085	AMD-P	91-15-065
296-115-005	AMD	91-03-044	296-155-483	NEW-P	91-17-068	308-14-090	AMD-P	91-15-065
296-115-005	AMD-P	91-17-068	296-155-485	AMD	91-03-044	308-14-120	NEW-P	91-15-065
296-115-010	AMD	91-03-044	296-155-485	AMD-P	91-17-068	308-14-130	AMD-P	91-15-065
296-115-015	AMD	91-03-044	296-155-48529	AMD	91-03-044	308-14-135	NEW-W	91-03-065
296-115-015	AMD-P	91-17-068	296-155-48531	AMD	91-03-044	308-14-135	NEW-P	91-15-065
296-115-025	AMD	91-03-044	296-155-48533	AMD	91-03-044	308-20-010	AMD-P	91-05-080
296-115-035	AMD	91-03-044	296-155-500	AMD	91-03-044	308-20-010	AMD	91-11-042
296-115-060	AMD	91-03-044	296-155-500	AMD-P	91-17-068	308-20-020	AMD-P	91-05-080
296-115-070	AMD	91-03-044	296-155-505	AMD	91-03-044	308-20-020	AMD	91-11-042
296-115-100	AMD	91-03-044	296-155-505	AMD-P	91-17-068	308-20-030	AMD-P	91-05-080
296-116-185	AMD-P	91-03-075	296-155-50501	REP	91-03-044	308-20-030	AMD	91-11-042
296-116-185	AMD-E	91-08-004	296-155-50503	AMD	91-03-044	308-20-040	AMD-P	91-05-080
296-116-185	AMD	91-08-008	296-155-50505	AMD-P	91-17-068	308-20-040	AMD	91-11-042
296-116-300	AMD-P	91-08-003	296-155-510	AMD-P	91-17-068	308-20-050	AMD-P	91-05-080
296-116-300	AMD	91-11-074	296-155-525	AMD	91-03-044	308-20-050	AMD	91-11-042
296-116-315	NEW	91-06-033	296-155-530	AMD	91-03-044	308-20-070	AMD-P	91-05-080
296-127	AMD-C	91-03-113	296-155-59904	AMD-P	91-17-068	308-20-070	AMD	91-11-042
296-127-010	AMD-W	91-10-092	296-155-620	AMD	91-03-044	308-20-080	AMD-P	91-05-080
296-127-010	AMD-P	91-14-104	296-155-625	AMD	91-03-044	308-20-080	AMD	91-11-042
296-127-011	AMD-W	91-10-092	296-155-650	AMD	91-03-044	308-20-090	AMD-P	91-05-080
296-127-011	AMD-P	91-14-104	296-155-655	AMD	91-03-044	308-20-090	AMD	91-11-042
296-127-013	AMD-W	91-10-092	296-155-65505	REP	91-03-044	308-20-095	NEW-P	91-05-080
296-127-013	AMD-P	91-14-104	296-155-657	NEW	91-03-044	308-20-095	NEW	91-11-042
296-127-014	AMD-W	91-10-092	296-155-660	REP	91-03-044	308-20-105	AMD-P	91-05-080
296-127-014	AMD-P	91-14-104	296-155-66005	REP	91-03-044	308-20-105	AMD	91-11-042
296-127-015	AMD-W	91-10-092	296-155-66103	NEW	91-03-044	308-20-110	AMD-P	91-05-080
296-127-015	AMD-P	91-14-104	296-155-66105	NEW	91-03-044	308-20-110	AMD	91-11-042
296-127-016	REP-W	91-10-092	296-155-66109	NEW	91-03-044	308-20-140	AMD-P	91-05-080
296-127-016	REP-P	91-14-104	296-155-664	NEW	91-03-044	308-20-140	AMD	91-11-042
296-127-017	AMD-W	91-10-092	296-155-665	REP	91-03-044	308-20-140	AMD	91-11-042
296-127-017	AMD-P	91-14-104	296-155-66501	REP	91-03-044	308-20-175	NEW-P	91-05-080
296-127-018	NEW-W	91-10-092	296-155-66502	REP	91-03-044	308-20-175	NEW	91-11-042
296-127-018	NEW-P	91-14-104	296-155-66503	REP	91-03-044	308-31-001	DECOD	91-03-095
296-127-019	AMD-W	91-10-092	296-155-66504	REP	91-03-044	308-31-010	DECOD	91-03-095
296-127-019	AMD-P	91-14-104	296-155-66505	REP	91-03-044	308-31-010	AMD-P	91-05-089
296-127-020	AMD-W	91-10-092	296-155-675	AMD-P	91-04-077	308-31-020	DECOD	91-03-095
296-127-020	AMD-P	91-14-104	296-155-675	AMD	91-11-070	308-31-020	AMD-P	91-05-089
296-127-022	AMD-P	91-14-104	296-155-682	AMD	91-03-044	308-31-025	DECOD	91-03-095
296-127-025	AMD-W	91-10-092	296-155-688	AMD	91-03-044	308-31-025	AMD-P	91-05-089
296-127-025	AMD-P	91-14-104	296-155-689	AMD	91-03-044	308-31-030	DECOD	91-03-095
296-127-050	NEW-P	91-14-104	296-155-694	AMD-P	91-04-077	308-31-030	AMD-P	91-05-089
296-127-320	AMD-P	91-14-104	296-155-694	AMD	91-11-070	308-31-040	DECOD	91-03-095
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296-127-990	NEW-P	91-14-104	296-155-705	AMD	91-03-044	308-31-050	DECOD	91-03-095
296-155-100	AMD-P	91-17-068	296-155-720	AMD	91-03-044	308-31-050	AMD-P	91-05-089
296-155-20301	AMD-P	91-17-068	296-155-730	AMD-P	91-04-077	308-31-055	DECOD	91-05-029
296-155-205	AMD-P	91-04-077	296-155-730	AMD	91-11-070	308-31-057	DECOD	91-03-095
296-155-205	AMD	91-11-070	296-155-950	AMD	91-03-044	308-31-057	AMD-P	91-05-089
296-155-225	REP	91-03-044	296-305-025	AMD-P	91-17-068	308-31-060	DECOD	91-03-095
296-155-230	REP	91-03-044	296-305-06009	AMD-P	91-04-077	308-31-060	AMD-P	91-05-089
296-155-24501	NEW	91-03-044	296-305-06009	AMD	91-11-070	308-31-100	DECOD	91-03-095
296-155-24503	NEW	91-03-044	296-305-063	AMD-P	91-17-068	308-31-100	AMD-P	91-05-089
296-155-24505	NEW	91-03-044	296-305-110	AMD	91-03-044	308-31-110	DECOD	91-03-095
296-155-24510	NEW	91-03-044	296-306-025	AMD-P	91-17-068	308-31-110	AMD-P	91-05-089
296-155-24510	AMD-P	91-17-068	296-306-040	AMD-P	91-17-068	308-31-120	DECOD	91-03-095
296-155-24515	NEW	91-03-044	296-306-165	AMD-P	91-17-068	308-31-120	AMD-P	91-05-089
296-155-24515	AMD-P	91-17-068	296-306-260	AMD-P	91-04-077	308-31-210	DECOD	91-03-095
296-155-24520	NEW	91-03-044	296-306-260	AMD	91-11-070	308-31-210	AMD-P	91-05-089
296-155-24520	AMD-P	91-17-068	296-306-265	AMD-P	91-04-077	308-31-220	DECOD	91-03-095
296-155-24521	NEW	91-03-044	296-306-265	AMD	91-11-070	308-31-220	AMD-P	91-05-089
296-155-24525	NEW	91-03-044	296-306-27095	AMD-P	91-04-077	308-31-230	DECOD	91-03-095
296-155-363	AMD-P	91-04-077	296-306-27095	AMD	91-11-070	308-31-230	AMD-P	91-05-089
296-155-363	AMD	91-11-070	296-306-310	AMD-P	91-04-077	308-31-240	DECOD	91-03-095
296-155-36313	AMD-P	91-04-077	296-306-310	AMD	91-11-070	308-31-240	AMD-P	91-05-089
296-155-36313	AMD	91-11-070	296-306-320	AMD-P	91-04-077	308-31-250	DECOD	91-03-095
296-155-375	AMD-P	91-04-077	296-306-320	AMD	91-11-070	308-31-250	AMD-P	91-05-089
296-155-375	AMD	91-11-070	296-306-400	AMD-P	91-17-068	308-31-260	DECOD	91-03-095
296-155-475	AMD-P	91-17-068	296-350-300	REP-P	91-17-068	308-31-260	AMD-P	91-05-089
296-155-47501	NEW-P	91-17-068	296-350-400	AMD-P	91-17-068	308-31-270	DECOD	91-03-095
296-155-476	NEW-P	91-17-068	308-10-067	NEW-P	91-07-028	308-31-270	AMD-P	91-05-089
296-155-477	NEW-P	91-17-068	308-10-067	NEW	91-13-057	308-31-280	DECOD	91-03-095
296-155-480	AMD	91-03-044	308-12-115	AMD-P	91-06-012	308-31-280	AMD-P	91-05-089
296-155-480	AMD-P	91-17-068	308-12-115	AMD-P	91-09-041	308-31-500	DECOD	91-03-095
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308-31-510	AMD-P	91-05-089	308-50-310	DECOD-P	91-07-058	308-52-502	DECOD	91-06-030
308-31-520	DECOD	91-03-095	308-50-310	AMD-W	91-07-059	308-52-504	DECOD	91-06-030
308-31-520	AMD-P	91-05-089	308-50-310	DECOD	91-11-031	308-52-510	DECOD	91-06-030
308-31-530	DECOD	91-03-095	308-50-310	AMD	91-11-032	308-52-515	DECOD	91-06-030
308-31-530	AMD-P	91-05-089	308-50-320	DECOD-P	91-07-058	308-52-530	DECOD	91-06-030
308-31-540	DECOD	91-03-095	308-50-320	DECOD	91-11-031	308-52-540	DECOD	91-06-030
308-31-540	AMD-P	91-05-089	308-50-330	DECOD-P	91-07-058	308-52-570	DECOD	91-06-030
308-31-550	DECOD	91-03-095	308-50-330	DECOD	91-11-031	308-52-580	DECOD	91-06-030
308-31-550	AMD-P	91-05-089	308-50-350	DECOD-P	91-07-058	308-52-590	REP	91-06-027
308-31-560	DECOD	91-03-095	308-50-350	DECOD	91-11-031	308-52-600	DECOD	91-06-030
308-31-560	AMD-P	91-05-089	308-50-380	DECOD-P	91-07-058	308-52-610	DECOD	91-06-030
308-31-570	DECOD	91-03-095	308-50-380	DECOD	91-11-031	308-52-620	DECOD	91-06-030
308-31-570	AMD-P	91-05-089	308-50-390	DECOD-P	91-07-058	308-52-630	DECOD	91-06-030
308-42-075	AMD	91-05-004	308-50-390	DECOD	91-11-031	308-52-640	DECOD	91-06-030
308-48-520	REP-W	91-09-043	308-50-400	DECOD-P	91-07-058	308-52-650	DECOD	91-06-030
308-48-580	REP-W	91-09-043	308-50-400	DECOD	91-11-031	308-52-660	DECOD	91-06-030
308-48-590	AMD-W	91-09-043	308-50-410	DECOD-P	91-07-058	308-52-680	DECOD	91-06-030
308-48-600	REP-W	91-09-043	308-50-410	DECOD	91-11-031	308-52-690	DECOD	91-06-030
308-48-600	AMD-P	91-15-048	308-50-420	DECOD-P	91-07-058	308-53	DECOD-C	91-03-116
308-48-601	NEW-W	91-09-043	308-50-420	DECOD	91-11-031	308-53-010	DECOD	91-06-025
308-48-610	NEW-W	91-09-043	308-50-430	DECOD-P	91-07-058	308-53-020	DECOD	91-06-028
308-48-800	AMD-P	91-08-032	308-50-430	DECOD	91-11-031	308-53-030	DECOD	91-06-025
308-48-800	AMD	91-11-023	308-50-440	AMD-P	91-08-078	308-53-070	DECOD	91-06-025
308-50-010	DECOD-P	91-07-058	308-50-440	DECOD	91-11-030	308-53-075	DECOD	91-06-025
308-50-010	DECOD	91-11-031	308-50-500	DECOD-P	91-07-058	308-53-084	DECOD	91-06-025
308-50-020	DECOD-P	91-07-058	308-50-500	DECOD	91-11-031	308-53-085	DECOD	91-06-025
308-50-020	DECOD	91-11-031	308-51-230	DECOD-W	91-09-044	308-53-100	DECOD	91-06-025
308-50-035	DECOD-P	91-07-058	308-51-240	DECOD-W	91-09-044	308-53-110	DECOD	91-06-025
308-50-035	DECOD	91-11-031	308-51-250	DECOD-W	91-09-044	308-53-120	DECOD	91-06-025
308-50-040	DECOD-P	91-07-058	308-51-260	DECOD-W	91-09-044	308-53-123	DECOD	91-06-025
308-50-040	DECOD	91-11-031	308-51-270	DECOD-W	91-09-044	308-53-125	DECOD	91-06-025
308-50-090	DECOD-P	91-07-058	308-51-280	DECOD-W	91-09-044	308-53-135	DECOD	91-06-025
308-50-090	DECOD	91-11-031	308-51-290	DECOD-W	91-09-044	308-53-140	DECOD	91-06-025
308-50-100	DECOD-P	91-07-058	308-51-300	DECOD-W	91-09-044	308-53-145	DECOD	91-06-025
308-50-100	DECOD	91-11-031	308-51-310	DECOD-W	91-09-044	308-53-146	DECOD	91-06-025
308-50-110	DECOD-P	91-07-058	308-51-320	DECOD-W	91-09-044	308-53-150	DECOD	91-06-025
308-50-110	DECOD	91-11-031	308-52-010	DECOD	91-06-030	308-53-151	DECOD	91-06-025
308-50-120	DECOD-P	91-07-058	308-52-030	DECOD	91-06-030	308-53-155	DECOD	91-06-025
308-50-120	DECOD	91-11-031	308-52-040	DECOD	91-06-030	308-53-165	DECOD	91-06-025
308-50-130	DECOD-P	91-07-058	308-52-100	DECOD	91-06-030	308-53-170	DECOD	91-06-025
308-50-130	DECOD	91-11-031	308-52-120	DECOD	91-06-030	308-53-175	DECOD	91-06-025
308-50-140	DECOD-P	91-07-058	308-52-132	DECOD	91-06-030	308-53-180	DECOD	91-06-025
308-50-140	DECOD	91-11-031	308-52-135	AMD-E	91-04-033	308-53-200	DECOD	91-06-025
308-50-150	DECOD-P	91-07-058	308-52-135	AMD-P	91-04-055	308-53-205	DECOD	91-06-025
308-50-150	DECOD	91-11-031	308-52-135	DECOD	91-06-030	308-53-210	DECOD	91-06-025
308-50-160	DECOD-P	91-07-058	308-52-136	DECOD	91-06-030	308-53-215	DECOD	91-06-025
308-50-160	DECOD	91-11-031	308-52-138	DECOD	91-06-030	308-53-220	DECOD	91-06-025
308-50-170	DECOD-P	91-07-058	308-52-139	DECOD	91-06-030	308-53-230	DECOD	91-06-025
308-50-170	DECOD	91-11-031	308-52-140	DECOD	91-06-030	308-53-235	DECOD	91-06-025
308-50-180	DECOD-P	91-07-058	308-52-141	DECOD	91-06-030	308-53-240	DECOD	91-06-025
308-50-180	DECOD	91-11-031	308-52-146	DECOD	91-06-030	308-53-245	DECOD	91-06-025
308-50-190	DECOD-P	91-07-058	308-52-147	DECOD	91-06-030	308-53-250	DECOD	91-06-025
308-50-190	DECOD	91-11-031	308-52-148	DECOD	91-06-030	308-53-260	DECOD	91-06-025
308-50-200	DECOD-P	91-07-058	308-52-149	DECOD	91-06-030	308-53-265	DECOD	91-06-025
308-50-200	DECOD	91-11-031	308-52-150	DECOD	91-06-030	308-53-270	DECOD	91-06-025
308-50-210	DECOD-P	91-07-058	308-52-160	DECOD	91-06-030	308-53-275	DECOD	91-06-025
308-50-210	DECOD	91-11-031	308-52-165	DECOD	91-06-030	308-53-280	DECOD	91-06-025
308-50-220	DECOD-P	91-07-058	308-52-190	DECOD	91-06-030	308-53-320	DECOD	91-06-025
308-50-220	DECOD	91-11-031	308-52-201	DECOD	91-06-030	308-53-330	DECOD	91-06-025
308-50-240	DECOD-P	91-07-058	308-52-205	DECOD	91-06-030	308-53-340	DECOD	91-06-025
308-50-240	DECOD	91-11-031	308-52-211	DECOD	91-06-030	308-53-350	DECOD	91-06-025
308-50-250	DECOD-P	91-07-058	308-52-215	DECOD	91-06-030	308-53-400	DECOD	91-06-025
308-50-250	DECOD	91-11-031	308-52-221	DECOD	91-06-030	308-54-010	DECOD	91-06-060
308-50-260	DECOD-P	91-07-058	308-52-255	DECOD	91-06-030	308-54-020	DECOD	91-06-060
308-50-260	DECOD	91-11-031	308-52-260	DECOD	91-06-030	308-54-030	DECOD	91-06-060
308-50-270	DECOD-P	91-07-058	308-52-260	AMD	91-06-038	308-54-040	DECOD	91-06-060
308-50-270	DECOD	91-11-031	308-52-265	DECOD	91-06-030	308-54-050	DECOD	91-06-060
308-50-280	DECOD-P	91-07-058	308-52-270	DECOD	91-06-030	308-54-060	DECOD	91-06-060
308-50-280	DECOD	91-11-031	308-52-320	DECOD	91-06-030	308-54-070	DECOD	91-06-060
308-50-290	DECOD-P	91-07-058	308-52-400	DECOD	91-06-030	308-54-080	DECOD	91-06-060
308-50-290	DECOD	91-11-031	308-52-405	DECOD	91-06-030	308-54-090	DECOD	91-06-060
308-50-295	AMD-P	91-07-057	308-52-406	DECOD	91-06-030	308-54-095	DECOD	91-06-060
308-50-295	DECOD-P	91-07-058	308-52-410	DECOD	91-06-030	308-54-100	DECOD	91-06-060
308-50-295	AMD-W	91-07-059	308-52-415	DECOD	91-06-030	308-54-110	DECOD	91-06-060
308-50-295	DECOD	91-11-031	308-52-420	DECOD	91-06-030	308-54-120	DECOD	91-06-060
308-50-295	AMD	91-11-032	308-52-425	DECOD	91-06-030	308-54-125	DECOD	91-06-060

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308-54-150	DECOD	91-06-060	308-96A-005	AMD-P	91-11-084	308-120-720	DECOD	91-07-049
308-54-155	DECOD	91-06-060	308-96A-005	AMD	91-15-006	308-120-730	DECOD	91-07-049
308-54-160	DECOD	91-06-060	308-96A-046	AMD	91-04-025	308-120-740	DECOD	91-07-049
308-54-162	DECOD	91-06-060	308-96A-056	AMD	91-04-025	308-120-750	DECOD	91-07-049
308-54-170	DECOD	91-06-060	308-96A-057	NEW-P	91-11-084	308-120-760	DECOD	91-07-049
308-54-180	DECOD	91-06-060	308-96A-057	NEW	91-15-006	308-120-770	DECOD	91-07-049
308-54-200	DECOD	91-06-060	308-96A-065	AMD-P	91-11-084	308-120-780	DECOD	91-07-049
308-54-205	DECOD	91-06-060	308-96A-065	AMD	91-15-006	308-120-800	DECOD	91-07-049
308-54-220	DECOD	91-06-060	308-96A-070	AMD	91-04-025	308-120-810	DECOD	91-07-049
308-54-225	DECOD	91-06-060	308-96A-071	NEW-P	91-11-084	308-121-110	DECOD	91-07-049
308-54-230	DECOD	91-06-060	308-96A-071	NEW	91-15-006	308-121-120	DECOD	91-07-049
308-54-240	DECOD	91-06-060	308-96A-073	NEW	91-04-025	308-121-130	DECOD	91-07-049
308-54-250	DECOD	91-06-060	308-96A-074	NEW	91-04-025	308-121-140	DECOD	91-07-049
308-54-315	AMD-P	91-05-025	308-96A-075	AMD	91-04-025	308-121-145	DECOD	91-07-049
308-54-315	DECOD	91-06-058	308-96A-161	NEW-P	91-11-084	308-121-150	DECOD	91-07-049
308-54-320	DECOD	91-06-060	308-96A-161	NEW	91-15-006	308-121-155	DECOD	91-07-049
308-56A-090	NEW	91-03-088	308-96A-162	NEW-P	91-11-084	308-121-160	DECOD	91-07-049
308-56A-120	REP-P	91-11-084	308-96A-162	NEW	91-15-006	308-121-165	DECOD	91-07-049
308-56A-120	REP	91-15-006	308-96A-345	AMD	91-04-024	308-121-170	DECOD	91-07-049
308-56A-150	AMD	91-04-024	308-96A-350	AMD	91-04-024	308-121-175	DECOD	91-07-049
308-56A-460	AMD	91-04-025	308-96A-380	AMD	91-04-024	308-121-180	DECOD	91-07-049
308-57-005	NEW	91-04-026	308-96A-505	NEW	91-03-091	308-122-001	DECOD	91-04-020
308-57-010	NEW	91-04-026	308-96A-510	NEW	91-03-091	308-122-005	DECOD	91-04-020
308-57-020	NEW	91-04-026	308-96A-520	NEW	91-03-091	308-122-006	DECOD	91-04-020
308-57-030	NEW	91-04-026	308-96A-530	NEW	91-03-091	308-122-060	DECOD	91-04-020
308-57-110	NEW	91-04-026	308-96A-540	NEW	91-03-091	308-122-200	DECOD	91-04-020
308-57-120	NEW	91-04-026	308-96A-550	NEW	91-03-091	308-122-200	AMD	91-04-021
308-57-130	NEW	91-04-026	308-96A-560	NEW	91-03-091	308-122-211	DECOD	91-04-020
308-57-140	NEW	91-04-026	308-120-100	DECOD	91-07-049	308-122-215	DECOD	91-04-020
308-57-210	NEW	91-04-026	308-120-100	AMD	91-07-067	308-122-220	DECOD	91-04-020
308-57-220	NEW	91-04-026	308-120-161	DECOD	91-07-049	308-122-225	DECOD	91-04-020
308-57-230	NEW	91-04-026	308-120-162	DECOD	91-07-049	308-122-230	DECOD	91-04-020
308-57-240	NEW	91-04-026	308-120-163	DECOD	91-07-049	308-122-235	DECOD	91-04-020
308-57-310	NEW	91-04-026	308-120-164	DECOD	91-07-049	308-122-275	DECOD	91-05-028
308-57-320	NEW	91-04-026	308-120-165	DECOD	91-07-049	308-122-280	DECOD	91-04-020
308-57-410	NEW	91-04-026	308-120-166	DECOD	91-07-049	308-122-350	DECOD	91-04-020
308-57-420	NEW	91-04-026	308-120-168	AMD	91-07-032	308-122-360	DECOD	91-04-020
308-57-430	NEW	91-04-026	308-120-168	DECOD	91-07-049	308-122-360	AMD	91-04-021
308-57-440	NEW	91-04-026	308-120-170	DECOD	91-07-049	308-122-370	DECOD	91-04-020
308-58-010	AMD	91-04-025	308-120-180	DECOD	91-07-049	308-122-380	REP	91-04-021
308-58-020	AMD	91-04-025	308-120-185	DECOD	91-07-049	308-122-380	DECOD-W	91-12-035
308-61-175	AMD-P	91-13-035	308-120-186	DECOD	91-07-049	308-122-390	REP	91-04-021
308-61-185	AMD-P	91-13-035	308-120-270	DECOD	91-07-049	308-122-390	DECOD-W	91-12-035
308-66	AMD-P	91-14-097	308-120-275	DECOD	91-07-048	308-122-400	REP	91-04-021
308-66-120	AMD-P	91-14-097	308-120-300	DECOD	91-07-049	308-122-400	DECOD-W	91-12-035
308-66-135	AMD-P	91-14-097	308-120-305	DECOD	91-07-049	308-122-410	REP	91-04-021
308-66-140	AMD-P	91-14-097	308-120-315	DECOD	91-07-049	308-122-410	DECOD-W	91-12-035
308-66-152	AMD	91-03-019	308-120-325	DECOD	91-07-049	308-122-420	REP	91-04-021
308-66-155	AMD-P	91-14-097	308-120-335	DECOD	91-07-049	308-122-420	DECOD-W	91-12-035
308-66-156	NEW	91-03-092	308-120-338	DECOD	91-07-049	308-122-430	DECOD	91-04-020
308-66-160	AMD-P	91-14-097	308-120-345	DECOD	91-07-049	308-122-440	DECOD	91-04-020
308-66-165	NEW-P	91-14-097	308-120-360	DECOD	91-07-049	308-122-450	DECOD	91-04-020
308-66-170	AMD-P	91-14-097	308-120-365	REP	91-07-049	308-122-500	REP	91-04-021
308-66-190	AMD-P	91-14-097	308-120-400	DECOD	91-07-049	308-122-500	DECOD-W	91-12-035
308-66-212	AMD-P	91-14-097	308-120-410	DECOD	91-07-049	308-122-505	DECOD	91-04-020
308-66-213	REP-P	91-14-097	308-120-420	DECOD	91-07-049	308-122-510	DECOD	91-04-020
308-66-214	AMD-P	91-14-097	308-120-430	DECOD	91-07-049	308-122-515	DECOD	91-04-020
308-66-215	AMD-P	91-14-097	308-120-440	DECOD	91-07-049	308-122-515	AMD	91-04-021
308-66-240	NEW-P	91-14-097	308-120-450	DECOD	91-07-049	308-122-520	DECOD	91-04-020
308-77-080	REP	91-03-018	308-120-505	DECOD	91-07-049	308-122-520	AMD	91-04-021
308-77-100	AMD	91-03-018	308-120-506	DECOD	91-07-049	308-122-525	DECOD	91-04-020
308-77-250	AMD	91-03-017	308-120-525	DECOD	91-07-049	308-122-530	DECOD	91-04-020
308-91-030	AMD-E	91-02-109	308-120-530	DECOD	91-07-049	308-122-535	DECOD	91-04-020
308-91-030	AMD-P	91-02-110	308-120-535	DECOD	91-07-049	308-122-540	DECOD	91-04-020
308-91-030	AMD	91-06-093	308-120-540	DECOD	91-07-049	308-122-545	DECOD	91-04-020
308-91-090	AMD-E	91-02-109	308-120-545	DECOD	91-07-049	308-122-600	DECOD	91-04-020
308-91-090	AMD-P	91-02-110	308-120-550	DECOD	91-07-049	308-122-610	DECOD	91-04-020
308-91-090	AMD	91-06-093	308-120-555	DECOD	91-07-049	308-122-620	DECOD	91-04-020
308-91-095	NEW-E	91-02-109	308-120-560	DECOD	91-07-049	308-122-630	DECOD	91-04-020
308-91-095	NEW-P	91-02-110	308-120-565	DECOD	91-07-049	308-122-640	DECOD	91-04-020
308-91-095	NEW	91-06-093	308-120-565	AMD	91-07-067	308-122-650	DECOD	91-04-020
308-91-150	AMD-E	91-02-109	308-120-570	DECOD	91-07-049	308-122-660	DECOD	91-04-020
308-91-150	AMD-P	91-02-110	308-120-575	DECOD	91-07-049	308-122-660	AMD	91-04-021
308-91-150	AMD	91-06-093	308-120-610	AMD	91-07-032	308-122-670	DECOD	91-04-020
308-93-670	NEW	91-03-089	308-120-620	DECOD	91-07-049	308-122-670	AMD	91-04-021
308-94-035	AMD-P	91-03-142	308-120-700	DECOD	91-07-049	308-122-680	DECOD	91-04-020

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
308-122-690	DECOD	91-04-020	308-173-260	DECOD	91-07-049	315-11-370	REP	91-03-034
308-122-695	DECOD	91-04-020	308-173-265	DECOD	91-07-049	315-11-371	REP	91-03-034
308-122-700	DECOD	91-04-020	308-173-270	DECOD	91-07-049	315-11-372	REP	91-03-034
308-122-710	DECOD	91-04-020	308-173-275	DECOD	91-07-049	315-11-380	REP	91-03-034
308-122-720	DECOD	91-04-020	308-173-280	DECOD	91-07-049	315-11-381	REP	91-03-034
308-124A-430	AMD-P	91-03-047	314-12-035	AMD-P	91-16-081	315-11-382	REP	91-03-034
308-124A-430	AMD	91-07-029	314-12-141	NEW-P	91-16-082	315-11-390	REP	91-03-034
308-124E-012	AMD-P	91-09-013	314-16-125	AMD-P	91-05-085	315-11-391	REP	91-03-034
308-124E-012	AMD	91-12-012	314-16-125	AMD-C	91-09-005	315-11-392	REP	91-03-034
308-124H-010	AMD-P	91-03-047	314-16-125	AMD-W	91-10-045	315-11-590	AMD	91-03-036
308-124H-010	AMD	91-07-029	314-16-125	AMD-P	91-16-083	315-11-591	AMD	91-03-036
308-124H-025	AMD-P	91-03-047	314-16-250	AMD-P	91-16-081	315-11-610	NEW	91-03-036
308-124H-025	AMD	91-07-029	314-20-020	AMD-P	91-05-086	315-11-611	NEW	91-03-036
308-124H-520	AMD-P	91-09-065	314-20-020	AMD	91-08-022	315-11-611	AMD-P	91-03-112
308-124H-520	AMD	91-12-013	314-26-010	AMD-P	91-16-081	315-11-611	AMD	91-06-074
308-124H-540	AMD-P	91-03-047	314-52-015	AMD-C	91-03-007	315-11-612	NEW	91-03-036
308-124H-540	AMD	91-07-029	314-52-015	AMD-W	91-04-085	315-11-620	NEW-P	91-03-112
308-124H-800	NEW-P	91-09-013	314-64-030	REP-P	91-16-081	315-11-620	NEW	91-06-074
308-124H-800	NEW	91-12-012	314-64-050	AMD-P	91-16-081	315-11-621	NEW-P	91-03-112
308-125-010	NEW	91-04-074	315-04-190	AMD-P	91-16-084	315-11-621	NEW	91-06-074
308-125-020	NEW	91-04-074	315-04-205	NEW-P	91-07-070	315-11-622	NEW-P	91-03-112
308-125-030	NEW	91-04-074	315-04-205	NEW	91-11-033	315-11-622	NEW	91-06-074
308-125-040	NEW	91-04-074	315-06-095	NEW-P	91-16-084	315-11-630	NEW-P	91-03-112
308-125-050	NEW	91-04-074	315-06-120	AMD	91-03-036	315-11-630	NEW	91-06-074
308-125-060	NEW	91-04-074	315-06-125	AMD-P	91-16-084	315-11-630	AMD-P	91-12-069
308-125-070	NEW	91-04-074	315-10-080	NEW-P	91-16-084	315-11-630	AMD	91-15-037
308-125-080	NEW	91-04-074	315-11-200	REP	91-03-034	315-11-631	NEW-P	91-03-112
308-125-090	NEW	91-04-074	315-11-201	REP	91-03-034	315-11-631	NEW	91-06-074
308-125-100	NEW	91-04-074	315-11-202	REP	91-03-034	315-11-632	NEW-P	91-03-112
308-125-110	NEW	91-04-074	315-11-210	REP	91-03-034	315-11-632	NEW	91-06-074
308-125-120	NEW	91-04-074	315-11-211	REP	91-03-034	315-11-632	AMD-P	91-12-069
308-125-130	NEW	91-04-074	315-11-212	REP	91-03-034	315-11-632	AMD	91-15-037
308-125-140	NEW	91-04-074	315-11-220	REP	91-03-034	315-11-640	NEW-P	91-07-070
308-125-150	NEW	91-04-074	315-11-221	REP	91-03-034	315-11-640	NEW	91-11-033
308-125-160	NEW	91-04-074	315-11-222	REP	91-03-034	315-11-641	NEW-P	91-07-070
308-125-170	NEW	91-04-074	315-11-230	REP	91-03-034	315-11-641	NEW	91-11-033
308-125-180	NEW	91-04-074	315-11-231	REP	91-03-034	315-11-642	NEW-P	91-07-070
308-125-190	NEW	91-04-074	315-11-232	REP	91-03-034	315-11-642	NEW	91-11-033
308-125-200	NEW	91-04-074	315-11-240	REP	91-03-034	315-11-650	NEW-P	91-07-070
308-125-210	NEW	91-04-074	315-11-241	REP	91-03-034	315-11-650	NEW	91-11-033
308-128B-080	AMD-P	91-08-049	315-11-242	REP	91-03-034	315-11-651	NEW-P	91-07-070
308-128B-080	AMD	91-11-066	315-11-250	REP	91-03-034	315-11-651	NEW	91-11-033
308-138-055	REP-P	91-03-117	315-11-251	REP	91-03-034	315-11-652	NEW-P	91-07-070
308-171-001	DECOD	91-05-027	315-11-252	REP	91-03-034	315-11-652	NEW	91-11-033
308-171-001	AMD-P	91-05-088	315-11-260	REP	91-03-034	315-11-660	NEW-P	91-07-070
308-171-002	DECOD	91-05-027	315-11-261	REP	91-03-034	315-11-660	NEW	91-11-033
308-171-003	DECOD	91-05-027	315-11-262	REP	91-03-034	315-11-660	AMD-P	91-16-084
308-171-010	DECOD	91-05-027	315-11-270	REP	91-03-034	315-11-661	NEW-P	91-07-070
308-171-010	AMD-P	91-05-088	315-11-271	REP	91-03-034	315-11-661	NEW	91-11-033
308-171-020	DECOD	91-05-027	315-11-272	REP	91-03-034	315-11-661	AMD-P	91-16-084
308-171-020	AMD-P	91-05-088	315-11-280	REP	91-03-034	315-11-662	NEW-P	91-07-070
308-171-040	DECOD	91-05-027	315-11-281	REP	91-03-034	315-11-662	NEW	91-11-033
308-171-041	DECOD	91-05-027	315-11-282	REP	91-03-034	315-11-662	AMD-P	91-16-084
308-171-041	AMD-P	91-05-088	315-11-290	REP	91-03-034	315-11-670	NEW-P	91-12-069
308-171-045	DECOD	91-05-027	315-11-291	REP	91-03-034	315-11-670	NEW	91-15-037
308-171-100	DECOD	91-05-027	315-11-292	REP	91-03-034	315-11-671	NEW-P	91-12-069
308-171-101	DECOD	91-05-027	315-11-300	REP	91-03-034	315-11-671	NEW	91-15-037
308-171-102	DECOD	91-05-027	315-11-301	REP	91-03-034	315-11-672	NEW-P	91-12-069
308-171-103	DECOD	91-05-027	315-11-302	REP	91-03-034	315-11-672	NEW	91-15-037
308-171-103	AMD-P	91-05-088	315-11-310	REP	91-03-034	315-11-680	NEW-P	91-12-069
308-171-104	DECOD	91-05-027	315-11-311	REP	91-03-034	315-11-680	NEW	91-15-037
308-171-200	DECOD	91-05-027	315-11-312	REP	91-03-034	315-11-681	NEW-P	91-12-069
308-171-201	DECOD	91-05-027	315-11-320	REP	91-03-034	315-11-681	NEW	91-15-037
308-171-202	DECOD	91-05-027	315-11-321	REP	91-03-034	315-11-682	NEW-P	91-12-069
308-171-300	DECOD	91-05-027	315-11-322	REP	91-03-034	315-11-682	NEW	91-15-037
308-171-301	DECOD	91-05-027	315-11-330	REP	91-03-034	315-11-690	NEW-P	91-16-084
308-171-302	DECOD	91-05-027	315-11-331	REP	91-03-034	315-11-691	NEW-P	91-16-084
308-171-310	DECOD	91-05-030	315-11-332	REP	91-03-034	315-11-692	NEW-P	91-16-084
308-171-320	DECOD	91-05-027	315-11-340	REP	91-03-034	315-11-700	NEW-P	91-16-084
308-171-330	DECOD	91-05-027	315-11-341	REP	91-03-034	315-11-701	NEW-P	91-16-084
308-173-210	DECOD	91-07-049	315-11-342	REP	91-03-034	315-11-702	NEW-P	91-16-084
308-173-220	DECOD	91-07-049	315-11-350	REP	91-03-034	315-12-140	REP	91-03-035
308-173-230	DECOD	91-07-049	315-11-351	REP	91-03-034	315-12-145	NEW	91-03-036
308-173-240	DECOD	91-07-049	315-11-352	REP	91-03-034	315-33-060	AMD-P	91-16-084
308-173-245	DECOD	91-07-049	315-11-360	REP	91-03-034	315-33A-010	NEW-P	91-16-084
308-173-250	DECOD	91-07-049	315-11-361	REP	91-03-034	315-33A-020	NEW-P	91-16-084
308-173-255	DECOD	91-07-049	315-11-362	REP	91-03-034	315-33A-030	NEW-P	91-16-084



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352-12-020	AMD	91-09-001	356-18-230	NEW-E	91-13-043	360-08-550	DECOD-P	91-14-033
352-12-030	AMD-P	91-03-142	356-18-230	NEW	91-14-044	360-08-550	DECOD	91-18-057
352-12-030	AMD	91-09-001	356-22-090	AMD-P	91-16-049	360-08-560	DECOD-P	91-14-033
352-32-010	AMD-P	91-03-142	356-22-120	AMD-P	91-12-034	360-08-560	DECOD	91-18-057
352-32-010	AMD	91-09-001	356-22-120	AMD	91-15-078	360-08-570	DECOD-P	91-14-033
352-32-035	AMD-P	91-03-142	356-22-130	AMD	91-03-071	360-08-570	DECOD	91-18-057
352-32-035	AMD	91-09-001	356-22-230	AMD-C	91-03-068	360-08-580	DECOD-P	91-14-033
352-32-045	AMD-P	91-03-142	356-22-230	AMD-W	91-05-081	360-08-580	DECOD	91-18-057
352-32-045	AMD	91-09-001	356-26-040	AMD-P	91-10-064	360-08-590	DECOD-P	91-14-033
352-32-200	AMD-P	91-03-140	356-26-040	AMD	91-13-041	360-08-590	DECOD	91-18-057
352-32-200	AMD	91-07-014	356-30-067	AMD-P	91-15-076	360-10	DECOD-W	91-06-037
352-32-210	AMD-P	91-03-140	356-30-120	AMD-P	91-18-083	360-10-010	DECOD-P	91-14-033
352-32-210	AMD	91-07-014	356-30-260	AMD-C	91-05-082	360-10-010	DECOD	91-18-057
352-32-250	AMD-P	91-03-142	356-30-260	AMD	91-07-055	360-10-020	DECOD-P	91-14-033
352-32-250	AMD	91-09-001	356-30-260	AMD-P	91-15-076	360-10-020	DECOD	91-18-057
352-32-252	AMD-P	91-03-142	356-30-290	AMD-P	91-15-076	360-10-030	AMD-P	91-05-091
352-32-252	AMD	91-09-001	356-30-300	AMD-P	91-16-048	360-10-030	AMD	91-11-041
352-32-270	AMD-P	91-03-142	356-30-305	AMD-C	91-05-082	360-10-030	DECOD-P	91-18-033
352-32-270	AMD	91-09-001	356-30-305	AMD	91-07-055	360-10-030	DECOD	91-18-057
352-44-010	AMD-P	91-16-096	356-30-305	AMD-P	91-15-076	360-10-040	DECOD-P	91-14-033
352-44-060	AMD-P	91-16-096	356-30-320	AMD-P	91-10-065	360-10-040	DECOD	91-18-057
352-44-070	AMD-P	91-16-096	356-30-320	AMD	91-13-042	360-10-050	AMD-P	91-05-091
352-44-080	AMD-P	91-16-096	360-08	DECOD-W	91-06-037	360-10-050	AMD	91-11-041
352-44-090	AMD-P	91-16-096	360-08-005	DECOD-P	91-14-033	360-10-050	DECOD-P	91-14-033
352-75	AMD-P	91-11-058	360-08-005	DECOD	91-18-057	360-10-050	DECOD	91-18-057
352-75	AMD	91-15-103	360-08-010	DECOD-P	91-14-033	360-10-060	AMD-P	91-05-091
352-75-010	AMD-P	91-11-058	360-08-010	DECOD	91-18-057	360-10-060	AMD	91-11-041
352-75-010	AMD	91-15-103	360-08-040	DECOD-P	91-14-033	360-10-060	DECOD-P	91-14-033
352-75-020	AMD-P	91-11-058	360-08-040	DECOD	91-18-057	360-10-060	DECOD	91-18-057
352-75-020	AMD	91-15-103	360-08-050	DECOD-P	91-14-033	360-10-080	DECOD-P	91-14-033
352-75-030	AMD-P	91-11-058	360-08-050	DECOD	91-18-057	360-10-080	DECOD	91-18-057
352-75-030	AMD	91-15-103	360-08-060	DECOD-P	91-14-033	360-11	DECOD-W	91-06-037
352-75-040	AMD-P	91-11-058	360-08-060	DECOD	91-18-057	360-11-010	DECOD-P	91-14-033
352-75-040	AMD	91-15-103	360-08-230	DECOD-P	91-14-033	360-11-010	DECOD	91-18-057
352-75-050	AMD-P	91-11-058	360-08-230	DECOD	91-18-057	360-11-020	DECOD-P	91-14-033
352-75-050	AMD	91-15-103	360-08-240	DECOD-P	91-14-033	360-11-020	DECOD	91-18-057
352-75-060	AMD-P	91-11-058	360-08-240	DECOD	91-18-057	360-11-023	DECOD-P	91-14-033
352-75-060	AMD	91-15-103	360-08-250	DECOD-P	91-14-033	360-11-023	DECOD	91-18-057
352-75-070	AMD-P	91-11-058	360-08-250	DECOD	91-18-057	360-11-027	DECOD-P	91-14-033
352-75-070	AMD	91-15-103	360-08-260	DECOD-P	91-14-033	360-11-027	DECOD	91-18-057
352-75-080	AMD-P	91-11-058	360-08-260	DECOD	91-18-057	360-11-030	DECOD-P	91-14-033
352-75-080	AMD	91-15-103	360-08-270	DECOD-P	91-14-033	360-11-030	DECOD	91-18-057
352-75-090	AMD-P	91-11-058	360-08-270	DECOD	91-18-057	360-11-033	DECOD-P	91-14-033
352-75-090	AMD	91-15-103	360-08-280	DECOD-P	91-14-033	360-11-033	DECOD	91-18-057
356-05-173	NEW-P	91-16-045	360-08-280	DECOD	91-18-057	360-11-037	DECOD-P	91-14-033
356-05-260	AMD-P	91-16-046	360-08-290	DECOD-P	91-14-033	360-11-037	DECOD	91-18-057
356-05-327	AMD-P	91-16-044	360-08-290	DECOD	91-18-057	360-11-040	DECOD-P	91-14-033
356-05-493	NEW-P	91-16-043	360-08-300	DECOD-P	91-14-033	360-11-040	DECOD	91-18-057
356-06-040	AMD-C	91-03-068	360-08-300	DECOD	91-18-057	360-11-045	DECOD-P	91-14-033
356-06-040	AMD-W	91-05-081	360-08-310	DECOD-P	91-14-033	360-11-045	DECOD	91-18-057
356-06-055	AMD-P	91-15-077	360-08-310	DECOD	91-18-057	360-11-060	DECOD-P	91-14-033
356-06-110	NEW-P	91-10-062	360-08-320	DECOD-P	91-14-033	360-11-060	DECOD	91-18-057
356-06-110	NEW-C	91-13-040	360-08-320	DECOD	91-18-057	360-11-070	DECOD-P	91-14-033
356-06-110	NEW-C	91-15-074	360-08-330	DECOD-P	91-14-033	360-11-070	DECOD	91-18-057
356-09-020	AMD-P	91-16-051	360-08-330	DECOD	91-18-057	360-12	DECOD-W	91-06-037
356-09-050	AMD-P	91-16-047	360-08-340	DECOD-P	91-14-033	360-12-015	DECOD-P	91-14-033
356-10-050	AMD	91-03-070	360-08-340	DECOD	91-18-057	360-12-015	DECOD	91-18-057
356-15-020	AMD-P	91-04-046	360-08-350	DECOD-P	91-14-033	360-12-050	DECOD-P	91-14-033
356-15-020	AMD-C	91-07-054	360-08-350	DECOD	91-18-057	360-12-050	DECOD	91-18-057
356-15-020	AMD-W	91-09-037	360-08-360	DECOD-P	91-14-033	360-12-065	DECOD-P	91-14-033
356-15-061	AMD-E	91-15-079	360-08-360	DECOD	91-18-057	360-12-065	DECOD	91-18-057
356-15-061	AMD-P	91-16-089	360-08-370	DECOD-P	91-14-033	360-12-110	DECOD-P	91-14-033
356-15-063	AMD-E	91-15-079	360-08-370	DECOD	91-18-057	360-12-110	DECOD	91-18-057
356-15-063	AMD-P	91-16-089	360-08-380	DECOD-P	91-14-033	360-12-120	DECOD-P	91-14-033
356-15-080	AMD	91-03-069	360-08-380	DECOD	91-18-057	360-12-120	DECOD	91-18-057
356-15-080	AMD-E	91-15-027	360-08-390	DECOD-P	91-14-033	360-12-125	DECOD-P	91-14-033
356-15-080	AMD-P	91-15-075	360-08-390	DECOD	91-18-057	360-12-120	DECOD	91-18-057
356-15-130	AMD	91-05-083	360-08-400	DECOD-P	91-14-033	360-12-128	AMD-P	91-08-078
356-15-130	AMD-P	91-10-063	360-08-400	DECOD	91-18-057	360-12-128	AMD	91-13-002
356-15-130	AMD	91-13-034	360-08-420	DECOD-P	91-14-033	360-12-128	DECOD-P	91-15-003
356-15-130	AMD	91-15-021	360-08-420	DECOD	91-18-057	360-12-130	DECOD-P	91-14-033
356-18-110	AMD-P	91-16-050	360-08-520	DECOD-P	91-14-033	360-12-130	DECOD	91-18-057
356-18-112	AMD-C	91-05-082	360-08-520	DECOD	91-18-057	360-12-140	DECOD-P	91-14-033
356-18-112	AMD	91-07-055	360-08-530	DECOD-P	91-14-033	360-12-140	DECOD	91-18-057
356-18-116	AMD-P	91-16-042	360-08-530	DECOD	91-18-057	360-12-150	DECOD-P	91-14-033
356-18-230	NEW-P	91-10-066	360-08-540	DECOD-P	91-14-033	360-12-150	DECOD	91-18-057
356-18-230	NEW-E	91-11-043	360-08-540	DECOD	91-18-057	360-12-160	DECOD-P	91-14-033



Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
360-12-160	DECOD 91-18-057	360-16-290	DECOD 91-18-057	360-19-100	DECOD 91-18-057
360-13	DECOD-W 91-06-037	360-16-300	DECOD-P 91-14-033	360-20	DECOD-W 91-06-037
360-13-010	DECOD-P 91-14-033	360-16-300	DECOD 91-18-057	360-20-100	DECOD-P 91-14-033
360-13-010	DECOD 91-18-057	360-16A	DECOD-W 91-06-037	360-20-100	DECOD 91-18-057
360-13-020	DECOD-P 91-14-033	360-16A-010	DECOD-P 91-14-033	360-20-210	DECOD-P 91-14-033
360-13-020	DECOD 91-18-057	360-16A-010	DECOD 91-18-057	360-20-210	DECOD 91-18-057
360-13-030	DECOD-P 91-14-033	360-16A-020	DECOD-P 91-14-033	360-20-220	NEW-P 91-07-056
360-13-030	DECOD 91-18-057	360-16A-020	DECOD 91-18-057	360-21	DECOD-W 91-06-037
360-13-045	DECOD-P 91-14-033	360-16A-030	DECOD-P 91-14-033	360-21-010	DECOD-P 91-14-033
360-13-045	DECOD 91-18-057	360-16A-030	DECOD 91-18-057	360-21-010	DECOD 91-18-057
360-13-055	DECOD-P 91-14-033	360-16A-040	DECOD-P 91-14-033	360-21-020	DECOD-P 91-14-033
360-13-055	DECOD 91-18-057	360-16A-040	DECOD 91-18-057	360-21-020	DECOD 91-18-057
360-13-066	DECOD-P 91-14-033	360-16A-060	DECOD-P 91-14-033	360-21-030	DECOD-P 91-14-033
360-13-066	DECOD 91-18-057	360-16A-060	DECOD 91-18-057	360-21-030	DECOD 91-18-057
360-13-100	DECOD-P 91-14-033	360-16A-070	DECOD-P 91-14-033	360-21-040	DECOD-P 91-14-033
360-13-100	DECOD 91-18-057	360-16A-070	DECOD 91-18-057	360-21-040	DECOD 91-18-057
360-15	DECOD-W 91-06-037	360-16A-080	DECOD-P 91-14-033	360-21-050	DECOD-P 91-14-033
360-15-010	DECOD-P 91-14-033	360-16A-080	DECOD 91-18-057	360-21-050	DECOD 91-18-057
360-15-010	DECOD 91-18-057	360-16A-090	DECOD-P 91-14-033	360-21-060	DECOD-P 91-14-033
360-15-020	DECOD-P 91-14-033	360-16A-090	DECOD 91-18-057	360-21-060	DECOD 91-18-057
360-15-020	DECOD 91-18-057	360-16A-100	DECOD-P 91-14-033	360-21-070	DECOD-P 91-14-033
360-15-030	DECOD-P 91-14-033	360-16A-100	DECOD 91-18-057	360-21-070	DECOD 91-18-057
360-15-030	DECOD 91-18-057	360-17	DECOD-W 91-06-037	360-21-080	DECOD-P 91-14-033
360-15-040	DECOD-P 91-14-033	360-17-010	AMD-W 91-05-049	360-21-080	DECOD 91-18-057
360-15-040	DECOD 91-18-057	360-17-010	DECOD-P 91-14-033	360-21-090	DECOD-P 91-14-033
360-15-050	DECOD-P 91-14-033	360-17-010	DECOD 91-18-057	360-21-090	DECOD 91-18-057
360-15-050	DECOD 91-18-057	360-17-020	DECOD-P 91-14-033	360-23	DECOD-W 91-06-037
360-15-060	DECOD-P 91-14-033	360-17-020	DECOD 91-18-057	360-23-010	DECOD-P 91-14-033
360-15-060	DECOD 91-18-057	360-17-030	DECOD-P 91-14-033	360-23-010	DECOD 91-18-057
360-15-070	DECOD-P 91-14-033	360-17-030	DECOD 91-18-057	360-23-020	DECOD-P 91-14-033
360-15-070	DECOD 91-18-057	360-17-040	AMD-W 91-05-049	360-23-020	DECOD 91-18-057
360-16	DECOD-W 91-06-037	360-17-040	DECOD-P 91-14-033	360-23-030	DECOD-P 91-14-033
360-16-005	DECOD-P 91-14-033	360-17-040	DECOD 91-18-057	360-23-030	DECOD 91-18-057
360-16-005	DECOD 91-18-057	360-17-050	DECOD-P 91-14-033	360-23-050	DECOD-P 91-14-033
360-16-011	DECOD-P 91-14-033	360-17-050	DECOD 91-18-057	360-23-050	DECOD 91-18-057
360-16-010	DECOD 91-18-057	360-17-055	DECOD-P 91-14-033	360-28-010	DECOD-P 91-14-033
360-16-020	DECOD-P 91-14-033	360-17-055	DECOD 91-18-057	360-28-010	DECOD 91-18-057
360-16-020	DECOD 91-18-057	360-17-060	DECOD-P 91-14-033	360-32	DECOD-W 91-06-037
360-16-025	DECOD-P 91-14-033	360-17-060	DECOD 91-18-057	360-32-050	DECOD-P 91-14-033
360-16-025	DECOD 91-18-057	360-17-070	AMD-W 91-05-049	360-32-050	DECOD 91-18-057
360-16-040	DECOD-P 91-14-033	360-17-070	DECOD-P 91-14-033	360-32-055	DECOD-P 91-14-033
360-16-040	DECOD 91-18-057	360-17-070	DECOD 91-18-057	360-32-055	DECOD 91-18-057
360-16-050	DECOD-P 91-14-033	360-17-075	NEW-W 91-05-049	360-32-060	DECOD-P 91-14-033
360-16-050	DECOD 91-18-057	360-17-080	DECOD-P 91-14-033	360-32-060	DECOD 91-18-057
360-16-070	DECOD-P 91-14-033	360-17-080	DECOD 91-18-057	360-33	DECOD-W 91-06-037
360-16-070	DECOD 91-18-057	360-17-090	DECOD-P 91-14-033	360-33-050	DECOD-P 91-14-033
360-16-094	DECOD-P 91-14-033	360-17-090	DECOD 91-18-057	360-33-050	DECOD 91-18-057
360-16-094	DECOD 91-18-057	360-17-095	NEW-W 91-05-049	360-35-010	NEW 91-04-056
360-16-096	DECOD-P 91-14-033	360-17-100	AMD-W 91-05-049	360-35-010	DECOD-P 91-14-033
360-16-096	DECOD 91-18-057	360-17-100	DECOD-P 91-14-033	360-35-010	DECOD 91-18-057
360-16-098	DECOD-P 91-14-033	360-17-100	DECOD 91-18-057	360-35-020	NEW 91-04-056
360-16-098	DECOD 91-18-057	360-18	DECOD-W 91-06-037	360-35-020	DECOD-P 91-14-033
360-16-120	DECOD-P 91-14-033	360-18-010	DECOD-P 91-15-003	360-35-020	DECOD 91-18-057
360-16-120	DECOD 91-18-057	360-18-020	AMD-P 91-08-078	360-35-030	NEW 91-04-056
360-16-150	DECOD-P 91-14-033	360-18-020	AMD 91-13-002	360-35-030	DECOD-P 91-14-033
360-16-150	DECOD 91-18-057	360-18-020	DECOD-P 91-15-003	360-35-030	DECOD 91-18-057
360-16-180	DECOD-P 91-14-033	360-18-025	DECOD-P 91-15-003	360-35-040	NEW 91-04-056
360-16-180	DECOD 91-18-057	360-19	DECOD-W 91-06-037	360-35-040	DECOD-P 91-14-033
360-16-200	DECOD-P 91-14-033	360-19-010	DECOD-P 91-14-033	360-35-040	DECOD 91-18-057
360-16-200	DECOD 91-18-057	360-19-010	DECOD 91-18-057	360-35-050	NEW 91-04-056
360-16-210	DECOD-P 91-14-033	360-19-020	DECOD-P 91-14-033	360-35-050	DECOD-P 91-14-033
360-16-210	DECOD 91-18-057	360-19-020	DECOD 91-18-057	360-35-050	DECOD 91-18-057
360-16-220	DECOD-P 91-14-033	360-19-030	DECOD-P 91-14-033	360-35-060	NEW 91-04-056
360-16-220	DECOD 91-18-057	360-19-030	DECOD 91-18-057	360-35-060	DECOD-P 91-14-033
360-16-230	DECOD-P 91-14-033	360-19-040	DECOD-P 91-14-033	360-35-060	DECOD 91-18-057
360-16-230	DECOD 91-18-057	360-19-040	DECOD 91-18-057	360-35-070	NEW 91-04-056
360-16-235	DECOD-P 91-14-033	360-19-050	DECOD-P 91-14-033	360-35-070	DECOD-P 91-14-033
360-16-235	DECOD 91-18-057	360-19-050	DECOD 91-18-057	360-35-070	DECOD 91-18-057
360-16-245	DECOD-P 91-14-033	360-19-060	DECOD-P 91-14-033	360-35-080	NEW 91-04-056
360-16-245	DECOD 91-18-057	360-19-060	DECOD 91-18-057	360-35-080	DECOD-P 91-14-033
360-16-255	DECOD-P 91-14-033	360-19-070	DECOD-P 91-14-033	360-35-080	DECOD 91-18-057
360-16-255	DECOD 91-18-057	360-19-070	DECOD 91-18-057	360-35-090	NEW 91-04-056
360-16-265	DECOD-P 91-14-033	360-19-080	DECOD-P 91-14-033	360-35-090	DECOD-P 91-14-033
360-16-265	DECOD 91-18-057	360-19-080	DECOD 91-18-057	360-35-090	DECOD 91-18-057
360-16-270	DECOD-P 91-14-033	360-19-090	DECOD-P 91-14-033	360-35-100	NEW 91-04-056
360-16-270	DECOD 91-18-057	360-19-090	DECOD 91-18-057	360-35-100	DECOD-P 91-14-033
360-16-290	DECOD-P 91-14-033	360-19-100	DECOD-P 91-14-033	360-35-100	DECOD 91-18-057

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
360-35-110	NEW 91-04-056	360-44-110	DECOD-P 91-14-033	360-49	DECOD-W 91-06-037
360-35-110	DECOD-P 91-14-033	360-44-110	DECOD 91-18-057	360-49-010	DECOD-P 91-14-033
360-35-110	DECOD 91-18-057	360-44-120	DECOD-P 91-14-033	360-49-010	DECOD 91-18-057
360-36	DECOD-W 91-06-037	360-44-120	DECOD 91-18-057	360-49-020	DECOD-P 91-14-033
360-36-010	DECOD-P 91-14-033	360-44-130	DECOD-P 91-14-033	360-49-020	DECOD 91-18-057
360-36-010	DECOD 91-18-057	360-44-130	DECOD 91-18-057	360-49-040	DECOD-P 91-14-033
360-36-020	DECOD-P 91-14-033	360-44-140	DECOD-P 91-14-033	360-49-040	DECOD 91-18-057
360-36-020	DECOD 91-18-057	360-44-140	DECOD 91-18-057	360-49-050	NEW-P 91-05-090
360-36-115	DECOD-P 91-14-033	360-44-150	DECOD-P 91-14-033	360-49-050	NEW 91-13-004
360-36-115	DECOD 91-18-057	360-44-150	DECOD 91-18-057	360-49-050	DECOD-P 91-14-033
360-36-210	DECOD-P 91-14-033	360-44-990	DECOD-P 91-14-033	360-49-050	DECOD 91-18-057
360-36-210	DECOD 91-18-057	360-44-990	DECOD 91-18-057	360-52	DECOD-W 91-06-037
360-36-250	DECOD-P 91-14-033	360-45-010	DECOD-P 91-14-033	360-52-010	DECOD-P 91-14-033
360-36-250	DECOD 91-18-057	360-45-010	DECOD 91-18-057	360-52-010	DECOD 91-18-057
360-36-260	DECOD-P 91-14-033	360-46	DECOD-W 91-06-037	360-52-020	DECOD-P 91-14-033
360-36-260	DECOD 91-18-057	360-46-010	DECOD-P 91-14-033	360-52-020	DECOD 91-18-057
360-36-270	DECOD-P 91-14-033	360-46-010	DECOD 91-18-057	360-52-030	DECOD-P 91-14-033
360-36-270	DECOD 91-18-057	360-46-020	DECOD-P 91-14-033	360-52-030	DECOD 91-18-057
360-36-400	DECOD-P 91-14-033	360-46-020	DECOD 91-18-057	360-52-040	DECOD-P 91-14-033
360-36-400	DECOD 91-18-057	360-46-030	DECOD-P 91-14-033	360-52-040	DECOD 91-18-057
360-36-410	DECOD-P 91-14-033	360-46-030	DECOD 91-18-057	360-52-050	DECOD-P 91-14-033
360-36-410	DECOD 91-18-057	360-46-040	DECOD-P 91-14-033	360-52-050	DECOD 91-18-057
360-36-411	DECOD-P 91-14-033	360-46-040	DECOD 91-18-057	360-52-060	DECOD-P 91-14-033
360-36-411	DECOD 91-18-057	360-46-050	DECOD-P 91-14-033	360-52-060	DECOD 91-18-057
360-36-412	DECOD-P 91-14-033	360-46-050	DECOD 91-18-057	360-52-070	DECOD-P 91-14-033
360-36-412	DECOD 91-18-057	360-46-060	DECOD-P 91-14-033	360-52-070	DECOD 91-18-057
360-36-413	DECOD-P 91-14-033	360-46-060	DECOD 91-18-057	360-52-080	DECOD-P 91-14-033
360-36-413	DECOD 91-18-057	360-46-070	DECOD-P 91-14-033	360-52-080	DECOD 91-18-057
360-36-420	DECOD-P 91-14-033	360-46-070	DECOD 91-18-057	360-52-090	DECOD-P 91-14-033
360-36-420	DECOD 91-18-057	360-46-081	DECOD-P 91-14-033	360-52-090	DECOD 91-18-057
360-36-425	DECOD-P 91-14-033	360-46-081	DECOD 91-18-057	360-52-100	DECOD-P 91-14-033
360-36-425	DECOD 91-18-057	360-46-082	DECOD-P 91-14-033	360-52-100	DECOD 91-18-057
360-36-430	DECOD-P 91-14-033	360-46-082	DECOD 91-18-057	360-52-110	DECOD-P 91-14-033
360-36-430	DECOD 91-18-057	360-46-090	DECOD-P 91-14-033	360-52-110	DECOD 91-18-057
360-36-440	DECOD-P 91-14-033	360-46-090	DECOD 91-18-057	360-52-120	NEW-P 91-05-092
360-36-440	DECOD 91-18-057	360-46-100	DECOD-P 91-14-033	360-52-120	NEW 91-11-040
360-36-450	DECOD-P 91-14-033	360-46-100	DECOD 91-18-057	360-52-120	DECOD-P 91-14-033
360-36-450	DECOD 91-18-057	360-46-110	DECOD-P 91-14-033	360-52-120	DECOD 91-18-057
360-36-451	DECOD-P 91-14-033	360-46-110	DECOD 91-18-057	360-54	DECOD-W 91-06-037
360-36-451	DECOD 91-18-057	360-46-120	DECOD-P 91-14-033	360-54-010	DECOD-P 91-14-033
360-36-500	DECOD-P 91-14-033	360-46-120	DECOD 91-18-057	360-54-010	DECOD 91-18-057
360-36-500	DECOD 91-18-057	360-46-130	DECOD-P 91-14-033	360-54-020	DECOD-P 91-14-033
360-38	DECOD-W 91-06-037	360-46-130	DECOD 91-18-057	360-54-020	DECOD 91-18-057
360-38-010	DECOD-P 91-14-033	360-46-140	DECOD-P 91-14-033	360-54-030	DECOD-P 91-14-033
360-38-010	DECOD 91-18-057	360-46-140	DECOD 91-18-057	360-54-030	DECOD 91-18-057
360-38-020	DECOD-P 91-14-033	360-46-150	DECOD-P 91-14-033	360-54-040	DECOD-P 91-14-033
360-38-020	DECOD 91-18-057	360-46-150	DECOD 91-18-057	360-54-040	DECOD 91-18-057
360-38-030	DECOD-P 91-14-033	360-46-160	DECOD-P 91-14-033	360-54-050	DECOD-P 91-14-033
360-38-030	DECOD 91-18-057	360-46-160	DECOD 91-18-057	360-54-050	DECOD 91-18-057
360-40	DECOD-W 91-06-037	360-47	DECOD-W 91-06-037	360-60	DECOD-W 91-06-037
360-40-010	DECOD-P 91-14-033	360-47-010	DECOD-P 91-14-033	360-60-010	DECOD-P 91-14-033
360-40-010	DECOD 91-18-057	360-47-010	DECOD 91-18-057	360-60-010	DECOD 91-18-057
360-40-040	DECOD-P 91-14-033	360-47-020	DECOD-P 91-14-033	360-60-020	DECOD-P 91-14-033
360-40-040	DECOD 91-18-057	360-47-020	DECOD 91-18-057	360-60-020	DECOD 91-18-057
360-40-070	DECOD-P 91-14-033	360-47-030	DECOD-P 91-14-033	360-60-030	DECOD-P 91-14-033
360-40-070	DECOD 91-18-057	360-47-030	DECOD 91-18-057	360-60-030	DECOD 91-18-057
360-44	DECOD-W 91-06-037	360-47-040	DECOD-P 91-14-033	360-60-040	DECOD-P 91-14-033
360-44-010	DECOD-P 91-14-033	360-47-040	DECOD 91-18-057	360-60-040	DECOD 91-18-057
360-44-010	DECOD 91-18-057	360-47-050	DECOD-P 91-14-033	365-90-010	AMD 91-04-017
360-44-020	DECOD-P 91-14-033	360-47-050	DECOD 91-18-057	365-90-020	AMD 91-04-017
360-44-020	DECOD 91-18-057	360-48	DECOD-W 91-06-037	365-90-030	REP 91-04-017
360-44-030	DECOD-P 91-14-033	360-48-010	DECOD-P 91-14-033	365-90-040	AMD 91-04-017
360-44-030	DECOD 91-18-057	360-48-010	DECOD 91-18-057	365-90-050	REP 91-04-017
360-44-040	DECOD-P 91-14-033	360-48-020	DECOD-P 91-14-033	365-90-070	AMD 91-04-017
360-44-040	DECOD 91-18-057	360-48-020	DECOD 91-18-057	365-90-080	AMD 91-04-017
360-44-050	DECOD-P 91-14-033	360-48-030	DECOD-P 91-14-033	365-90-090	AMD 91-04-017
360-44-050	DECOD 91-18-057	360-48-030	DECOD 91-18-057	365-190-010	NEW 91-07-041
360-44-060	DECOD-P 91-14-033	360-48-040	DECOD-P 91-14-033	365-190-020	NEW 91-07-041
360-44-060	DECOD 91-18-057	360-48-040	DECOD 91-18-057	365-190-030	NEW 91-07-041
360-44-070	DECOD-P 91-14-033	360-48-050	DECOD-P 91-14-033	365-190-040	NEW 91-07-041
360-44-070	DECOD 91-18-057	360-48-050	DECOD 91-18-057	365-190-050	NEW 91-07-041
360-44-080	DECOD-P 91-14-033	360-48-060	DECOD-P 91-14-033	365-190-060	NEW 91-07-041
360-44-080	DECOD 91-18-057	360-48-060	DECOD 91-18-057	365-190-070	NEW 91-07-041
360-44-090	DECOD-P 91-14-033	360-48-070	DECOD-P 91-14-033	365-190-080	NEW 91-07-041
360-44-090	DECOD 91-18-057	360-48-070	DECOD 91-18-057	371-08	AMD-C 91-03-027
360-44-100	DECOD-P 91-14-033	360-48-080	DECOD-P 91-14-033	371-08-001	NEW 91-03-028
360-44-100	DECOD 91-18-057	360-48-080	DECOD 91-18-057	371-08-002	NEW 91-03-028

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371-08-010	AMD	91-03-028	374-50-040	NEW-P	91-08-033	381-30-100	NEW	91-14-029
371-08-015	REP	91-03-028	374-50-050	NEW-P	91-08-033	381-30-110	NEW	91-14-029
371-08-020	AMD	91-03-028	374-50-060	NEW-P	91-08-033	381-30-120	NEW	91-14-029
371-08-030	AMD	91-03-028	374-50-070	NEW-P	91-08-033	381-30-130	NEW	91-14-029
371-08-031	REP	91-03-028	374-50-080	NEW-P	91-08-033	381-30-140	NEW	91-14-029
371-08-032	AMD	91-03-028	374-50-090	NEW-P	91-08-033	381-30-150	NEW	91-14-029
371-08-033	NEW	91-03-028	381-10-010	NEW-P	91-10-009	381-30-160	NEW	91-14-029
371-08-035	AMD	91-03-028	381-10-010	NEW	91-14-028	381-30-170	NEW	91-14-029
371-08-040	AMD	91-03-028	381-10-020	NEW-P	91-10-009	381-30-180	NEW	91-14-029
371-08-045	REP	91-03-028	381-10-020	NEW	91-14-028	381-40-010	NEW	91-14-029
371-08-065	AMD	91-03-028	381-10-030	NEW-P	91-10-009	381-40-020	NEW	91-14-029
371-08-071	AMD	91-03-028	381-10-030	NEW	91-14-028	381-40-030	NEW	91-14-029
371-08-075	AMD	91-03-028	381-10-040	NEW-P	91-10-009	381-40-040	NEW	91-14-029
371-08-080	AMD	91-03-028	381-10-040	NEW	91-14-028	381-40-050	NEW	91-14-029
371-08-085	AMD	91-03-028	381-10-050	NEW-P	91-10-009	381-40-060	NEW	91-14-029
371-08-095	REP	91-03-028	381-10-050	NEW	91-14-028	381-40-070	NEW	91-14-029
371-08-100	AMD	91-03-028	381-10-060	NEW-P	91-10-009	381-40-080	NEW	91-14-029
371-08-102	REP	91-03-028	381-10-060	NEW	91-14-028	381-40-090	NEW	91-14-029
371-08-104	AMD	91-03-028	381-10-070	NEW-P	91-10-009	381-40-100	NEW	91-14-029
371-08-105	REP	91-03-028	381-10-070	NEW	91-14-028	381-40-110	NEW	91-14-029
371-08-106	NEW	91-03-028	381-10-080	NEW-P	91-10-009	381-40-120	NEW	91-14-029
371-08-110	REP	91-03-028	381-10-080	NEW	91-14-028	381-40-130	NEW	91-14-029
371-08-115	REP	91-03-028	381-10-090	NEW-P	91-10-009	381-40-140	NEW	91-14-029
371-08-120	REP	91-03-028	381-10-090	NEW	91-14-028	381-40-150	NEW	91-14-029
371-08-125	AMD	91-03-028	381-10-100	NEW-P	91-10-009	381-40-160	NEW	91-14-029
371-08-130	AMD	91-03-028	381-10-100	NEW	91-14-028	381-40-170	NEW	91-14-029
371-08-131	REP	91-03-028	381-10-110	NEW-P	91-10-009	381-50-010	NEW	91-14-029
371-08-132	REP	91-03-028	381-10-110	NEW	91-14-028	381-50-020	NEW	91-14-029
371-08-135	REP	91-03-028	381-10-120	NEW-P	91-10-009	381-50-030	NEW	91-14-029
371-08-140	AMD	91-03-028	381-10-120	NEW	91-14-028	381-50-040	NEW	91-14-029
371-08-144	AMD	91-03-028	381-10-130	NEW-P	91-10-009	381-50-050	NEW	91-14-029
371-08-146	NEW	91-03-028	381-10-130	NEW	91-14-028	381-50-060	NEW	91-14-029
371-08-147	NEW	91-03-028	381-10-140	NEW-P	91-10-009	381-50-070	NEW	91-14-029
371-08-148	NEW	91-03-028	381-10-140	NEW	91-14-028	381-50-080	NEW	91-14-029
371-08-155	AMD	91-03-028	381-10-150	NEW-P	91-10-009	381-50-090	NEW	91-14-029
371-08-156	AMD	91-03-028	381-10-150	NEW	91-14-028	381-50-100	NEW	91-14-029
371-08-160	REP	91-03-028	381-10-160	NEW-P	91-10-009	381-50-110	NEW	91-14-029
371-08-162	NEW	91-03-028	381-10-160	NEW	91-14-028	381-50-120	NEW	91-14-029
371-08-163	REP	91-03-028	381-10-170	NEW-P	91-10-009	381-50-130	NEW	91-14-029
371-08-165	AMD	91-03-028	381-10-170	NEW	91-14-028	381-50-140	NEW	91-14-029
371-08-175	REP	91-03-028	381-20-010	NEW-P	91-10-009	381-50-150	NEW	91-14-029
371-08-180	AMD	91-03-028	381-20-010	NEW	91-14-028	381-50-160	NEW	91-14-029
371-08-183	AMD	91-03-028	381-20-020	NEW-P	91-10-009	381-50-170	NEW	91-14-029
371-08-184	NEW	91-03-028	381-20-020	NEW	91-14-028	381-50-180	NEW	91-14-029
371-08-186	AMD	91-03-028	381-20-030	NEW-P	91-10-009	381-60-010	NEW	91-14-029
371-08-187	AMD	91-03-028	381-20-030	NEW	91-14-028	381-60-020	NEW	91-14-029
371-08-188	AMD	91-03-028	381-20-040	NEW-P	91-10-009	381-60-030	NEW	91-14-029
371-08-189	AMD	91-03-028	381-20-040	NEW	91-14-028	381-60-040	NEW	91-14-029
371-08-190	REP	91-03-028	381-20-050	NEW-P	91-10-009	381-60-050	NEW	91-14-029
371-08-195	AMD	91-03-028	381-20-050	NEW	91-14-028	381-60-060	NEW	91-14-029
371-08-196	AMD	91-03-028	381-20-060	NEW-P	91-10-009	381-60-070	NEW	91-14-029
371-08-200	AMD	91-03-028	381-20-060	NEW	91-14-028	381-60-080	NEW	91-14-029
371-08-201	REP	91-03-028	381-20-070	NEW-P	91-10-009	381-60-090	NEW	91-14-029
371-08-205	REP	91-03-028	381-20-070	NEW	91-14-028	381-60-100	NEW	91-14-029
371-08-210	REP	91-03-028	381-20-080	NEW-P	91-10-009	381-60-110	NEW	91-14-029
371-08-215	AMD	91-03-028	381-20-080	NEW	91-14-028	381-60-120	NEW	91-14-029
371-08-220	AMD	91-03-028	381-20-090	NEW-P	91-10-009	381-60-130	NEW	91-14-029
371-08-230	AMD	91-03-028	381-20-090	NEW	91-14-028	381-60-140	NEW	91-14-029
371-08-240	AMD	91-03-028	381-20-100	NEW-P	91-10-009	381-60-150	NEW	91-14-029
371-08-245	REP	91-03-028	381-20-100	NEW	91-14-028	381-60-160	NEW	91-14-029
371-12	REP-C	91-03-027	381-20-110	NEW-P	91-10-009	381-60-170	NEW	91-14-029
371-12-010	REP	91-03-028	381-20-110	NEW	91-14-028	381-60-180	NEW	91-14-029
371-12-020	REP	91-03-028	381-20-120	NEW-P	91-10-009	381-70-010	NEW	91-14-029
371-12-030	REP	91-03-028	381-20-120	NEW	91-14-028	381-70-020	NEW	91-14-029
371-12-040	REP	91-03-028	381-20-130	NEW-P	91-10-009	381-70-030	NEW	91-14-029
371-12-050	REP	91-03-028	381-20-130	NEW	91-14-028	381-70-040	NEW	91-14-029
371-12-060	REP	91-03-028	381-20-140	NEW-P	91-10-009	381-70-050	NEW	91-14-029
371-12-070	REP	91-03-028	381-20-140	NEW	91-14-028	381-70-060	NEW	91-14-029
371-12-080	REP	91-03-028	381-30-010	NEW	91-14-029	381-70-070	NEW	91-14-029
371-12-090	REP	91-03-028	381-30-020	NEW	91-14-029	381-70-080	NEW	91-14-029
371-12-100	REP	91-03-028	381-30-030	NEW	91-14-029	381-70-090	NEW	91-14-029
371-12-110	REP	91-03-028	381-30-040	NEW	91-14-029	381-70-100	NEW	91-14-029
371-12-120	REP	91-03-028	381-30-050	NEW	91-14-029	381-70-110	NEW	91-14-029
371-12-130	REP	91-03-028	381-30-060	NEW	91-14-029	381-70-120	NEW	91-14-029
374-50-010	NEW-P	91-08-033	381-30-070	NEW	91-14-029	381-70-130	NEW	91-14-029
374-50-020	NEW-P	91-08-033	381-30-080	NEW	91-14-029	381-70-140	NEW	91-14-029

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381-70-160	NEW	91-14-029	388-15-215	AMD-S	91-04-039	388-37-115	AMD-E	91-16-075
381-70-170	NEW	91-14-029	388-15-215	AMD	91-08-011	388-42-150	AMD	91-06-005
381-70-180	NEW	91-14-029	388-15-216	AMD-S	91-04-039	388-44-145	AMD-C	91-03-039
381-70-190	NEW	91-14-029	388-15-216	AMD	91-08-011	388-44-145	AMD-C	91-04-047
381-70-200	NEW	91-14-029	388-15-820	AMD-P	91-16-056	388-44-145	AMD-C	91-06-055
381-70-210	NEW	91-14-029	388-15-820	AMD-E	91-16-066	388-44-145	AMD	91-09-070
381-70-220	NEW	91-14-029	388-15-840	AMD-P	91-16-056	388-49-020	AMD-P	91-05-074
381-70-230	NEW	91-14-029	388-15-840	AMD-E	91-16-066	388-49-020	AMD	91-10-096
381-70-240	NEW	91-14-029	388-15-850	AMD-P	91-16-056	388-49-020	AMD-P	91-13-104
381-70-250	NEW	91-14-029	388-15-850	AMD-E	91-16-066	388-49-020	AMD	91-16-065
381-70-260	NEW	91-14-029	388-15-860	AMD-P	91-16-056	388-49-030	AMD-P	91-11-109
381-70-270	NEW	91-14-029	388-15-860	AMD-E	91-16-066	388-49-030	AMD	91-14-081
381-70-280	NEW	91-14-029	388-15-870	AMD-P	91-16-056	388-49-040	AMD-P	91-11-110
381-70-290	NEW	91-14-029	388-15-870	AMD-E	91-16-066	388-49-040	AMD	91-14-082
381-70-300	NEW	91-14-029	388-15-880	AMD-P	91-16-056	388-49-080	AMD-P	91-09-031
381-70-310	NEW	91-14-029	388-15-880	AMD-E	91-16-066	388-49-080	AMD-E	91-09-032
381-70-320	NEW	91-14-029	388-24-050	AMD-E	91-04-042	388-49-080	AMD	91-12-043
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381-70-350	NEW	91-14-029	388-24-050	AMD-W	91-08-063	388-49-190	AMD-P	91-05-073
381-70-360	NEW	91-14-029	388-24-050	AMD-P	91-09-068	388-49-190	AMD	91-10-098
381-70-370	NEW	91-14-029	388-24-050	AMD-E	91-09-069	388-49-270	AMD-P	91-13-098
381-70-380	NEW	91-14-029	388-24-050	AMD	91-12-044	388-49-270	AMD	91-16-063
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381-70-410	NEW	91-14-029	388-24-074	AMD-P	91-13-099	388-49-330	AMD-P	91-05-075
381-70-420	NEW	91-14-029	388-24-074	AMD	91-16-058	388-49-330	AMD	91-10-099
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388-11-220	AMD-P	91-06-040	388-33-376	AMD-P	91-07-068	388-49-520	AMD-P	91-09-067
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388-14-415	AMD-E	91-04-003	388-37-030	AMD-P	91-16-037	388-53A-010	REP	91-15-087
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388-14-435	NEW	91-09-018	388-37-030	AMD-E	91-16-075	388-53A-030	REP	91-15-087
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388-14-440	NEW	91-09-018	388-37-038	AMD-W	91-16-036	388-53A-050	REP-P	91-12-066
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388-15-209	AMD-S	91-04-039	388-37-115	AMD-P	91-16-037	388-53A-090	REP	91-15-087
388-15-209	AMD	91-08-011	388-37-115	AMD-E	91-16-039	388-53A-100	REP-P	91-12-066
388-15-212	AMD-S	91-04-039	388-37-115	AMD-W	91-16-073	388-53A-100	REP	91-15-087

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388-53A-110	REP-P	91-12-066	388-77-530	REP	91-05-058	388-87-072	RESCIND	91-06-056
388-53A-110	REP	91-15-087	388-77-530	REP	91-08-050	388-87-072	AMD	91-10-025
388-53A-120	REP-P	91-12-066	388-77-531	NEW-P	91-12-065	388-87-072	AMD-P	91-18-050
388-53A-120	REP	91-15-087	388-77-531	NEW-E	91-12-068	388-87-072	AMD-E	91-18-052
388-53A-130	REP-P	91-12-066	388-77-531	NEW	91-15-086	388-87-105	AMD-P	91-16-018
388-53A-130	REP	91-15-087	388-77-555	AMD	91-04-041	388-87-105	AMD-E	91-16-023
388-53A-140	REP-P	91-12-066	388-77-555	AMD	91-05-058	388-92-045	AMD-P	91-05-008
388-53A-140	REP	91-15-087	388-77-555	AMD	91-08-050	388-92-045	AMD-E	91-05-009
388-62-020	AMD-P	91-14-119	388-77-555	AMD	91-08-050	388-92-045	AMD	91-09-017
388-62-020	AMD	91-17-060	388-77-600	AMD	91-04-041	388-95-320	AMD-P	91-05-034
388-62-025	NEW-P	91-14-119	388-77-600	AMD	91-05-010	388-95-320	AMD-E	91-05-035
388-62-025	NEW	91-17-060	388-77-600	AMD	91-05-058	388-95-320	AMD	91-09-019
388-62-035	AMD-P	91-14-119	388-77-600	AMD	91-08-050	388-95-337	AMD	91-07-011
388-62-035	AMD	91-17-060	388-77-610	AMD	91-04-041	388-95-360	AMD-P	91-14-068
388-62-050	REP-P	91-14-119	388-77-610	AMD	91-05-010	388-95-360	AMD-E	91-14-071
388-62-050	REP	91-17-060	388-77-610	AMD	91-05-058	388-95-360	AMD	91-17-061
388-62-070	AMD-P	91-14-119	388-77-610	AMD	91-08-050	388-95-380	AMD-P	91-05-008
388-62-070	AMD	91-17-060	388-77-610	AMD-P	91-10-073	388-95-380	AMD-E	91-05-009
388-62-075	AMD-P	91-14-119	388-77-610	AMD-E	91-10-079	388-95-380	AMD	91-09-017
388-62-075	AMD	91-17-060	388-77-610	AMD	91-13-081	388-95-380	AMD-P	91-17-088
388-62-080	AMD-P	91-14-119	388-77-615	AMD	91-04-041	388-95-395	AMD-P	91-12-022
388-62-080	AMD	91-17-060	388-77-615	AMD	91-05-010	388-95-395	AMD-E	91-12-029
388-62-095	AMD-P	91-14-119	388-77-615	AMD	91-05-058	388-95-395	AMD	91-15-085
388-62-095	AMD	91-17-060	388-77-615	AMD	91-08-050	388-96-010	AMD-P	91-17-088
388-62-100	REP-P	91-14-119	388-81-030	AMD	91-07-011	388-96-010	AMD-E	91-17-089
388-62-100	REP	91-17-060	388-81-070	REP-P	91-14-066	388-96-023	AMD-P	91-17-088
388-62-115	REP-P	91-14-119	388-81-070	REP-E	91-14-070	388-96-023	AMD-E	91-17-089
388-62-115	REP	91-17-060	388-81-070	REP-C	91-17-058	388-96-221	AMD-P	91-09-066
388-62-130	REP-P	91-14-119	388-82-010	AMD	91-06-003	388-96-507	AMD-P	91-17-088
388-62-130	REP	91-17-060	388-82-010	AMD-E	91-11-016	388-96-507	AMD-E	91-17-089
388-62-135	AMD-P	91-14-119	388-82-010	AMD-P	91-11-017	388-96-559	AMD-P	91-17-088
388-62-135	AMD	91-17-060	388-82-010	AMD	91-15-014	388-96-559	AMD-E	91-17-089
388-62-155	REP-P	91-14-119	388-82-140	AMD	91-07-011	388-96-569	AMD-P	91-17-088
388-62-155	REP	91-17-060	388-82-160	AMD-P	91-08-035	388-96-569	AMD-E	91-17-089
388-62-160	REP-P	91-14-119	388-82-160	AMD-E	91-08-036	388-96-585	AMD-P	91-17-088
388-62-160	REP	91-17-060	388-82-160	AMD	91-11-086	388-96-585	AMD-E	91-17-089
388-62-165	REP-P	91-14-119	388-82-160	AMD	91-11-086	388-96-722	AMD-P	91-09-066
388-62-165	REP	91-17-060	388-83-013	AMD-P	91-06-042	388-96-722	AMD	91-12-026
388-62-170	REP-P	91-14-119	388-83-013	AMD-E	91-06-046	388-96-722	AMD-P	91-17-088
388-62-170	REP	91-17-060	388-83-013	AMD	91-10-101	388-96-722	AMD-E	91-17-089
388-62-190	AMD-P	91-14-119	388-83-032	AMD-P	91-06-043	388-96-754	AMD-P	91-17-088
388-62-190	AMD	91-17-060	388-83-032	AMD-E	91-06-047	388-96-754	AMD-E	91-17-089
388-62-200	AMD-P	91-14-119	388-83-032	AMD	91-10-100	388-96-754	AMD-E	91-17-089
388-62-200	AMD	91-17-060	388-83-033	AMD-P	91-08-034	388-96-760	AMD-P	91-09-066
388-76-030	AMD-P	91-05-070	388-83-033	AMD-E	91-08-037	388-96-760	AMD	91-12-026
388-76-030	AMD	91-09-016	388-83-033	AMD	91-10-036	388-96-901	AMD-P	91-09-066
388-76-040	AMD-P	91-05-070	388-83-033	AMD	91-11-085	388-96-901	AMD	91-12-026
388-76-040	AMD	91-09-016	388-83-041	NEW-P	91-05-008	388-96-904	AMD-P	91-09-066
388-76-087	AMD-P	91-05-070	388-83-041	NEW-E	91-05-009	388-96-904	AMD	91-12-026
388-76-087	AMD	91-09-016	388-83-041	NEW	91-09-017	388-99-020	AMD	91-07-011
388-77-010	AMD	91-04-041	388-83-130	AMD-P	91-06-043	388-99-040	AMD-P	91-05-008
388-77-010	AMD	91-05-010	388-83-130	AMD-E	91-06-047	388-99-040	AMD-E	91-05-009
388-77-010	AMD	91-05-058	388-83-130	AMD	91-10-100	388-99-040	AMD	91-09-017
388-77-010	AMD	91-08-050	388-83-200	AMD-P	91-12-067	388-100-005	AMD-P	91-14-067
388-77-230	REP	91-04-041	388-83-200	AMD	91-16-059	388-100-005	AMD-E	91-14-072
388-77-230	REP	91-05-010	388-84-105	AMD	91-05-011	388-100-005	AMD	91-17-062
388-77-230	REP	91-05-058	388-85-115	AMD-E	91-11-016	388-100-010	AMD-P	91-14-067
388-77-230	REP	91-08-050	388-85-115	AMD-P	91-11-017	388-100-010	AMD-E	91-14-072
388-77-240	AMD-P	91-15-062	388-85-115	AMD	91-16-024	388-100-010	AMD	91-17-062
388-77-320	AMD	91-04-041	388-86-00901	AMD-P	91-04-040	388-100-015	AMD-P	91-14-067
388-77-320	AMD	91-05-010	388-86-00901	AMD-E	91-04-044	388-100-015	AMD-E	91-14-072
388-77-320	AMD	91-05-058	388-86-00901	AMD	91-08-012	388-100-015	AMD	91-17-062
388-77-320	AMD	91-08-050	388-87-007	AMD-P	91-16-038	388-100-020	AMD-P	91-14-067
388-77-500	AMD	91-04-041	388-87-007	AMD-E	91-16-040	388-100-020	AMD-E	91-14-072
388-77-500	AMD	91-05-010	388-87-010	AMD	91-07-011	388-100-020	AMD	91-17-062
388-77-500	AMD	91-05-058	388-87-010	AMD-P	91-14-067	388-100-025	AMD-P	91-14-067
388-77-500	AMD	91-08-050	388-87-010	AMD-E	91-14-072	388-100-025	AMD-E	91-14-072
388-77-515	AMD	91-04-041	388-87-010	AMD	91-17-062	388-100-025	AMD	91-17-062
388-77-515	AMD	91-05-010	388-87-015	AMD-P	91-16-017	388-100-030	AMD-P	91-14-067
388-77-515	AMD	91-05-058	388-87-015	AMD-E	91-16-022	388-100-030	AMD-E	91-14-072
388-77-515	AMD	91-08-050	388-87-070	AMD-P	91-06-044	388-100-030	AMD	91-17-062
388-77-520	AMD	91-04-041	388-87-070	AMD-E	91-06-049	388-100-035	AMD-P	91-14-067
388-77-520	AMD	91-05-010	388-87-070	RESCIND	91-06-056	388-100-035	AMD-E	91-14-072
388-77-520	AMD	91-05-058	388-87-070	AMD	91-10-025	388-100-035	AMD	91-17-062
388-77-520	AMD	91-08-050	388-87-070	AMD-P	91-18-050	388-150-005	AMD-P	91-03-127
388-77-530	REP	91-04-041	388-87-070	AMD-E	91-18-052	388-150-005	AMD-E	91-03-128
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388-77-530	REP	91-05-010	388-87-072	AMD-E	91-06-049	388-150-020	AMD-P	91-12-024

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388-150-020	AMD	91-15-084	390-05-210	AMD	91-14-041	392-115-070	NEW-P	91-03-001
388-150-100	AMD-P	91-03-127	390-14-045	AMD-P	91-13-089	392-115-070	NEW	91-07-007
388-150-100	AMD-E	91-03-128	390-14-045	AMD	91-16-072	392-115-075	NEW-P	91-03-001
388-150-100	AMD	91-07-013	390-16-240	NEW-P	91-10-056	392-115-075	NEW	91-07-007
388-150-180	AMD-P	91-03-127	390-16-240	NEW	91-14-041	392-115-080	NEW-P	91-03-001
388-150-180	AMD-E	91-03-128	390-16-308	AMD-W	91-11-104	392-115-080	NEW	91-07-007
388-150-180	AMD	91-07-013	390-16-308	AMD-P	91-11-105	392-115-085	NEW-P	91-03-001
388-150-210	AMD-P	91-03-127	390-16-308	AMD	91-14-041	392-115-085	NEW	91-07-007
388-150-210	AMD-E	91-03-128	390-16-312	NEW-W	91-11-104	392-115-090	NEW-P	91-03-001
388-150-210	AMD	91-07-013	390-16-312	NEW-P	91-11-105	392-115-090	NEW	91-07-007
388-150-280	AMD-P	91-03-127	390-16-312	NEW	91-14-041	392-115-095	NEW-P	91-03-001
388-150-280	AMD-E	91-03-128	390-20-0101	AMD-C	91-06-034	392-115-095	NEW	91-07-007
388-150-280	AMD	91-07-013	390-20-0101	AMD	91-09-021	392-115-100	NEW-P	91-03-001
388-150-390	AMD-P	91-03-127	390-20-052	AMD-P	91-13-089	392-115-100	NEW	91-07-007
388-150-390	AMD-E	91-03-128	390-20-052	AMD	91-16-072	392-115-105	NEW-P	91-03-001
388-150-390	AMD	91-07-013	390-24-031	NEW-P	91-07-027	392-115-105	NEW	91-07-007
388-150-450	AMD-P	91-03-127	390-24-031	NEW	91-10-057	392-115-110	NEW-P	91-03-001
388-150-450	AMD-E	91-03-128	390-28-050	REP-P	91-16-071	392-115-110	NEW	91-07-007
388-150-450	AMD	91-07-013	390-37-060	AMD-P	91-13-089	392-115-115	NEW-P	91-03-001
388-155	NEW-C	91-03-038	390-37-060	AMD	91-16-072	392-115-115	NEW	91-07-007
388-155-005	NEW	91-04-048	390-37-085	NEW-P	91-15-025	392-115-120	NEW-P	91-03-001
388-155-010	NEW	91-04-048	390-37-085	NEW-W	91-15-051	392-115-120	NEW	91-07-007
388-155-020	NEW	91-04-048	390-37-090	AMD-P	91-13-089	392-115-125	NEW-P	91-03-001
388-155-020	AMD-P	91-12-024	390-37-090	AMD	91-16-072	392-115-125	NEW	91-07-007
388-155-020	AMD-E	91-12-028	390-37-100	AMD-P	91-13-089	392-115-130	NEW-P	91-03-001
388-155-020	AMD	91-15-084	390-37-100	AMD	91-16-072	392-115-130	NEW	91-07-007
388-155-040	NEW	91-04-048	390-37-105	NEW-P	91-13-089	392-115-135	NEW-P	91-03-001
388-155-050	NEW	91-04-048	390-37-105	NEW	91-16-072	392-115-135	NEW	91-07-007
388-155-060	NEW	91-04-048	390-37-120	NEW-P	91-13-089	392-115-140	NEW-P	91-03-001
388-155-070	NEW	91-04-048	390-37-120	NEW	91-16-072	392-115-140	NEW	91-07-007
388-155-080	NEW	91-04-048	390-37-130	NEW-P	91-13-089	392-115-145	NEW-P	91-03-001
388-155-090	NEW	91-04-048	390-37-130	NEW	91-16-072	392-115-145	NEW	91-07-007
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388-155-110	NEW	91-04-048	390-37-132	NEW	91-16-072	392-115-150	NEW	91-07-007
388-155-120	NEW	91-04-048	390-37-134	NEW-P	91-13-089	392-115-155	NEW-P	91-03-001
388-155-130	NEW	91-04-048	390-37-134	NEW	91-16-072	392-115-155	NEW	91-07-007
388-155-140	NEW	91-04-048	390-37-136	NEW-P	91-13-089	392-117-005	NEW-P	91-09-025
388-155-150	NEW	91-04-048	390-37-136	NEW	91-16-072	392-117-005	NEW	91-13-054
388-155-160	NEW	91-04-048	390-37-140	NEW-P	91-13-089	392-117-010	NEW-P	91-09-025
388-155-165	NEW	91-04-048	390-37-140	NEW	91-16-072	392-117-010	NEW	91-13-054
388-155-170	NEW	91-04-048	390-37-142	NEW-P	91-13-089	392-117-015	NEW-P	91-09-025
388-155-180	NEW	91-04-048	390-37-142	NEW	91-16-072	392-117-015	NEW	91-13-054
388-155-190	NEW	91-04-048	390-37-144	NEW-P	91-13-089	392-117-020	NEW-P	91-09-025
388-155-200	NEW	91-04-048	390-37-144	NEW	91-16-072	392-117-020	NEW	91-13-054
388-155-210	NEW	91-04-048	390-37-150	AMD-P	91-13-089	392-117-025	NEW-P	91-09-025
388-155-220	NEW	91-04-048	390-37-150	AMD	91-16-072	392-117-025	NEW	91-13-054
388-155-230	NEW	91-04-048	390-37-210	REP-P	91-13-089	392-117-030	NEW-P	91-09-025
388-155-240	NEW	91-04-048	390-37-210	REP	91-16-072	392-117-030	NEW	91-13-054
388-155-250	NEW	91-04-048	392-101-010	AMD-P	91-13-053	392-117-035	NEW-P	91-09-025
388-155-260	NEW	91-04-048	392-101-010	AMD	91-18-007	392-117-035	NEW	91-13-054
388-155-270	NEW	91-04-048	392-101-015	NEW	91-02-095	392-117-040	NEW-P	91-09-025
388-155-280	NEW	91-04-048	392-115-005	NEW-P	91-03-001	392-117-040	NEW	91-13-054
388-155-285	NEW-W	91-11-026	392-115-005	NEW	91-07-007	392-117-045	NEW-P	91-09-025
388-155-290	NEW	91-04-048	392-115-010	NEW-P	91-03-001	392-117-045	NEW	91-13-054
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388-155-310	NEW	91-04-048	392-115-015	NEW-P	91-03-001	392-117-050	NEW	91-13-054
388-155-320	NEW	91-04-048	392-115-015	NEW	91-07-007	392-121-108	AMD	91-02-096
388-155-330	NEW	91-04-048	392-115-020	NEW-P	91-03-001	392-121-133	AMD	91-02-096
388-155-340	NEW	91-04-048	392-115-020	NEW	91-07-007	392-121-136	AMD	91-02-096
388-155-350	NEW	91-04-048	392-115-025	NEW-P	91-03-001	392-121-182	AMD	91-02-096
388-155-360	NEW	91-04-048	392-115-025	NEW	91-07-007	392-121-184	NEW-P	91-04-088
388-155-370	NEW	91-04-048	392-115-030	NEW-P	91-03-001	392-121-184	NEW	91-08-038
388-155-380	NEW	91-04-048	392-115-030	NEW	91-07-007	392-121-265	AMD	91-02-097
388-155-390	NEW	91-04-048	392-115-035	NEW-P	91-03-001	392-121-268	AMD	91-02-097
388-155-400	NEW	91-04-048	392-115-035	NEW	91-07-007	392-121-269	NEW	91-02-097
388-155-410	NEW	91-04-048	392-115-040	NEW-P	91-03-001	392-121-270	AMD	91-02-097
388-155-420	NEW	91-04-048	392-115-040	NEW	91-07-007	392-121-272	AMD	91-02-097
388-155-430	NEW	91-04-048	392-115-045	NEW-P	91-03-001	392-121-280	AMD	91-02-097
388-155-440	NEW	91-04-048	392-115-045	NEW	91-07-007	392-121-295	AMD	91-02-097
388-155-450	NEW	91-04-048	392-115-050	NEW-P	91-03-001	392-121-297	REP	91-02-097
388-155-460	NEW	91-04-048	392-115-050	NEW	91-07-007	392-121-299	AMD	91-02-097
388-155-470	NEW	91-04-048	392-115-055	NEW-P	91-03-001	392-121-500	NEW	91-07-006
388-155-480	NEW	91-04-048	392-115-055	NEW	91-07-007	392-121-500	AMD-P	91-10-105
388-155-490	NEW	91-04-048	392-115-060	NEW-P	91-03-001	392-121-500	AMD	91-14-038
388-155-500	NEW	91-04-048	392-115-060	NEW	91-07-007	392-121-505	NEW	91-07-006
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392-191-065	REP	91-16-026	400-12-545	NEW-P	91-15-090	415-114-040	NEW	91-11-061
392-191-070	REP-P	91-10-104	400-12-550	REP-P	91-15-090	415-114-040	AMD	91-13-049
392-191-070	REP	91-16-026	400-12-555	NEW-P	91-15-090	415-114-040	REP-P	91-16-091
392-191-075	REP-P	91-10-104	400-12-560	REP-P	91-15-090	415-114-050	NEW-P	91-06-089
392-191-075	AMD-P	91-12-006	400-12-565	NEW-P	91-15-090	415-114-050	NEW-C	91-10-108
392-191-075	AMD	91-16-011	400-12-570	REP-P	91-15-090	415-114-050	NEW	91-11-061
392-191-075	REP	91-16-026	400-12-600	REP-P	91-15-090	415-114-050	RE-AD	91-13-049
392-191-080	REP-P	91-10-104	400-12-605	NEW-P	91-15-090	415-114-050	REP-P	91-16-091
392-191-080	REP	91-16-026	400-12-610	REP-P	91-15-090	415-114-055	NEW-P	91-10-108
392-191-085	REP-P	91-10-104	400-12-615	NEW-P	91-15-090	415-114-055	NEW	91-13-049
392-191-085	AMD-P	91-12-006	400-12-620	REP-P	91-15-090	415-114-055	REP-P	91-16-091
392-191-085	AMD	91-16-011	400-12-625	NEW-P	91-15-090	415-114-060	NEW-P	91-06-089
392-191-085	REP	91-16-026	400-12-630	REP-P	91-15-090	415-114-060	NEW-C	91-10-108
392-191-090	REP-P	91-10-104	400-12-635	NEW-P	91-15-090	415-114-060	RE-AD	91-11-061
392-191-090	REP	91-16-026	400-12-640	REP-P	91-15-090	415-114-060	RE-AD	91-13-049
392-191-095	REP-P	91-10-104	400-12-650	REP-P	91-15-090	415-114-060	REP-P	91-16-091
392-191-095	REP	91-16-026	400-12-660	REP-P	91-15-090	415-114-070	NEW-C	91-10-108
392-192-005	AMD-P	91-12-006	400-12-700	AMD-P	91-15-090	415-114-070	NEW	91-13-049
392-192-005	AMD	91-16-011	402-70-010	AMD-W	91-08-059	415-114-070	REP-P	91-16-091
392-192-040	AMD-P	91-12-006	402-70-020	AMD-W	91-08-059	415-114-100	NEW-P	91-16-091
392-192-040	AMD	91-16-011	402-70-030	AMD-W	91-08-059	415-114-200	NEW-P	91-16-091
392-196-005	AMD-E	91-18-020	402-70-040	NEW-W	91-08-059	415-114-300	NEW-P	91-16-091
392-196-045	AMD-E	91-18-020	402-70-045	NEW-W	91-08-059	415-114-400	NEW-P	91-16-091
392-196-080	AMD-E	91-18-020	402-70-050	AMD-W	91-08-059	415-114-500	NEW-P	91-16-091
392-196-085	AMD-E	91-18-020	402-70-055	NEW-W	91-08-059	415-114-550	NEW-P	91-16-091
392-196-090	REP-E	91-18-020	402-70-060	NEW-W	91-08-059	415-114-600	NEW-P	91-16-091
392-196-100	AMD-E	91-18-020	402-70-062	NEW-W	91-08-059	415-114-700	NEW-P	91-16-091
392-198-005	NEW-P	91-14-035	402-70-064	NEW-W	91-08-059	415-115-010	NEW-P	91-10-109
392-198-005	NEW	91-18-006	402-70-066	NEW-W	91-08-059	415-115-010	NEW	91-13-030
392-198-010	NEW-P	91-14-035	402-70-068	NEW-W	91-08-059	415-115-020	NEW-P	91-10-109
392-198-010	NEW	91-18-006	402-70-070	AMD-W	91-08-059	415-115-020	NEW	91-13-030
392-198-015	NEW-P	91-14-035	402-70-077	NEW-W	91-08-059	415-115-030	NEW-P	91-10-109
392-198-015	NEW	91-18-006	402-70-080	AMD-W	91-08-059	415-115-030	NEW	91-13-030
392-198-020	NEW-P	91-14-035	402-70-085	NEW-W	91-08-059	415-115-040	NEW-P	91-10-109
392-198-020	NEW	91-18-006	402-70-090	AMD-W	91-08-059	415-115-040	NEW	91-13-030
392-198-025	NEW-P	91-14-035	415-04-020	AMD-P	91-16-092	415-115-050	NEW-P	91-10-109
392-198-025	NEW	91-18-006	415-06-090	AMD-P	91-16-093	415-115-050	NEW	91-13-030
392-198-030	NEW-P	91-14-035	415-100-041	NEW	91-03-013	415-115-060	NEW-P	91-10-109
392-198-030	NEW	91-18-006	415-100-045	NEW	91-03-013	415-115-060	NEW	91-13-030
392-202-003	AMD	91-03-119	415-100-051	NEW	91-03-013	415-115-070	NEW-P	91-10-109
392-202-080	AMD-P	91-14-036	415-100-055	NEW	91-03-013	415-115-070	NEW	91-13-030
392-202-080	AMD-W	91-17-036	415-104-108	AMD-P	91-16-094	415-115-080	NEW-P	91-10-109
392-202-110	AMD-P	91-14-036	415-104-201	NEW	91-03-014	415-115-080	NEW	91-13-030
392-202-115	AMD-P	91-14-036	415-104-205	NEW	91-03-014	415-115-090	NEW-P	91-10-109
392-202-120	AMD-P	91-14-036	415-104-211	NEW	91-03-014	415-115-090	NEW	91-13-030
399-30-030	AMD-P	91-14-093	415-104-215	NEW	91-03-014	415-115-100	NEW-P	91-10-109
399-30-040	AMD-P	91-14-093	415-108-320	NEW	91-03-015	415-115-100	NEW	91-13-030
399-30-042	AMD-P	91-14-093	415-108-322	NEW	91-03-015	415-115-110	NEW-P	91-10-109
399-30-045	AMD-P	91-14-093	415-108-324	NEW	91-03-015	415-115-110	NEW	91-13-030
399-30-050	AMD-P	91-14-093	415-108-326	NEW	91-03-015	415-115-120	NEW-P	91-10-109
399-30-060	AMD-P	91-14-093	415-108-520	NEW-P	91-18-069	415-115-120	NEW	91-13-030
399-30-065	AMD-P	91-14-093	415-112-040	AMD-P	91-16-095	415-116-010	NEW-P	91-10-107
399-40-020	AMD-P	91-14-092	415-112-330	AMD-P	91-18-070	415-116-010	NEW	91-13-029
400-06-070	AMD-P	91-15-089	415-112-515	NEW-P	91-18-070	415-116-020	NEW-P	91-10-107
400-06-170	AMD-P	91-15-089	415-112-535	NEW-P	91-18-070	415-116-020	NEW	91-13-029
400-12	PREP	91-05-066	415-112-540	AMD-P	91-18-070	415-116-030	NEW-P	91-10-107
400-12-110	AMD-P	91-15-090	415-112-720	NEW	91-03-016	415-116-030	NEW	91-13-029
400-12-120	AMD-P	91-15-090	415-112-722	NEW	91-03-016	415-116-040	NEW-P	91-10-107
400-12-200	AMD-P	91-15-090	415-112-725	NEW	91-03-016	415-116-040	NEW	91-13-029
400-12-210	AMD-P	91-15-090	415-112-727	NEW	91-03-016	415-116-050	NEW-P	91-10-107
400-12-220	AMD-P	91-15-090	415-114-010	NEW-P	91-06-089	415-116-050	NEW	91-13-029
400-12-300	REP-P	91-15-090	415-114-010	NEW-C	91-10-108	417-01-100	NEW-E	91-09-052
400-12-305	NEW-P	91-15-090	415-114-010	NEW	91-11-061	417-01-100	NEW-P	91-15-028
400-12-310	REP-P	91-15-090	415-114-010	RE-AD	91-13-049	417-01-105	NEW-E	91-09-052
400-12-320	AMD-P	91-15-090	415-114-010	REP-P	91-16-091	417-01-105	NEW-P	91-15-028
400-12-400	AMD-P	91-15-090	415-114-020	NEW-P	91-06-089	417-01-110	NEW-E	91-09-052
400-12-410	AMD-P	91-15-090	415-114-020	NEW-C	91-10-108	417-01-110	NEW-P	91-15-028
400-12-415	NEW-P	91-15-090	415-114-020	NEW	91-11-061	417-01-115	NEW-E	91-09-052
400-12-420	AMD-P	91-15-090	415-114-020	RE-AD	91-13-049	417-01-115	NEW-P	91-15-028
400-12-500	AMD-P	91-15-090	415-114-020	REP-P	91-16-091	417-01-120	NEW-E	91-09-052
400-12-510	REP-P	91-15-090	415-114-030	NEW-P	91-06-089	417-01-120	NEW-P	91-15-028
400-12-515	NEW-P	91-15-090	415-114-030	NEW-C	91-10-108	417-01-125	NEW-E	91-09-052
400-12-520	REP-P	91-15-090	415-114-030	NEW	91-11-061	417-01-125	NEW-P	91-15-028
400-12-525	NEW-P	91-15-090	415-114-030	RE-AD	91-13-049	417-01-130	NEW-E	91-09-052
400-12-530	REP-P	91-15-090	415-114-030	REP-P	91-16-091	417-01-130	NEW-P	91-15-028
400-12-535	NEW-P	91-15-090	415-114-040	NEW-P	91-06-089	417-01-135	NEW-E	91-09-052

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
417-01-135	NEW-P	91-15-028	434-15-090	REP-P	91-17-054	434-42-935	NEW-P	91-03-125
417-01-140	NEW-E	91-09-052	434-15-100	REP-P	91-17-054	434-42-935	NEW-E	91-03-126
417-01-140	NEW-P	91-15-028	434-15-110	REP-P	91-17-054	434-42-935	REP-E	91-07-002
417-01-145	NEW-E	91-09-052	434-15-120	REP-P	91-17-054	434-42-935	NEW-W	91-07-003
417-01-145	NEW-P	91-15-028	434-15-130	REP-P	91-17-054	434-42-940	NEW-P	91-03-125
417-01-150	NEW-E	91-09-052	434-15-140	REP-P	91-17-054	434-42-940	NEW-E	91-03-126
417-01-150	NEW-P	91-15-028	434-15-150	REP-P	91-17-054	434-42-940	REP-E	91-07-002
417-01-155	NEW-E	91-09-052	434-15-990	REP-P	91-17-054	434-42-940	NEW-W	91-07-003
417-01-155	NEW-P	91-15-028	434-15-99001	REP-P	91-17-054	434-42-945	NEW-P	91-03-125
417-02-100	NEW-E	91-13-020	434-26-005	NEW-P	91-13-022	434-42-945	NEW-E	91-03-126
417-02-100	NEW-P	91-15-028	434-26-005	NEW	91-18-013	434-42-945	REP-E	91-07-002
417-02-105	NEW-E	91-13-020	434-26-010	NEW-P	91-13-022	434-42-945	NEW-W	91-07-003
417-02-105	NEW-P	91-15-028	434-26-010	NEW	91-18-013	434-42-950	NEW-P	91-03-125
417-02-110	NEW-E	91-13-020	434-26-015	NEW-P	91-13-022	434-42-950	NEW-E	91-03-126
417-02-110	NEW-P	91-15-028	434-26-015	NEW	91-18-013	434-42-950	REP-E	91-07-002
417-02-115	NEW-E	91-13-020	434-26-020	NEW-P	91-13-022	434-42-950	NEW-W	91-07-003
417-02-115	NEW-P	91-15-028	434-26-020	NEW	91-18-013	434-42-955	NEW-P	91-03-125
417-02-120	NEW-E	91-13-020	434-26-025	NEW-P	91-13-022	434-42-955	NEW-E	91-03-126
417-02-120	NEW-P	91-15-028	434-26-025	NEW	91-18-013	434-42-955	REP-E	91-07-002
417-02-125	NEW-E	91-13-020	434-26-030	NEW-P	91-13-022	434-42-955	NEW-W	91-07-003
417-02-125	NEW-P	91-15-028	434-26-030	NEW	91-18-013	434-42-960	NEW-P	91-03-125
417-02-130	NEW-E	91-13-020	434-26-035	NEW-P	91-13-022	434-42-960	NEW-E	91-03-126
417-02-130	NEW-P	91-15-028	434-26-035	NEW	91-18-013	434-42-960	REP-E	91-07-002
417-02-135	NEW-E	91-13-020	434-26-040	NEW-P	91-13-022	434-42-960	NEW-W	91-07-003
417-02-135	NEW-P	91-15-028	434-26-040	NEW	91-18-013	434-42-965	NEW-P	91-03-125
417-02-140	NEW-E	91-13-020	434-26-045	NEW-P	91-13-022	434-42-965	NEW-E	91-03-126
417-02-140	NEW-P	91-15-028	434-26-045	NEW	91-18-013	434-42-965	REP-E	91-07-002
417-02-145	NEW-E	91-13-020	434-26-050	NEW-P	91-13-022	434-42-965	NEW-W	91-07-003
417-02-145	NEW-P	91-15-028	434-26-050	NEW	91-18-013	434-42-970	NEW-P	91-03-125
417-02-150	NEW-E	91-13-020	434-26-055	NEW-P	91-13-022	434-42-970	NEW-E	91-03-126
417-02-150	NEW-P	91-15-028	434-26-055	NEW	91-18-013	434-42-970	REP-E	91-07-002
417-02-155	NEW-E	91-13-020	434-26-060	NEW-P	91-13-022	434-42-970	NEW-W	91-07-003
417-02-155	NEW-P	91-15-028	434-26-060	NEW	91-18-013	434-42-975	NEW-P	91-03-125
417-06-100	NEW-E	91-13-021	434-26-065	NEW-P	91-13-022	434-42-975	NEW-E	91-03-126
417-06-100	NEW-P	91-15-028	434-26-065	NEW	91-18-013	434-42-975	REP-E	91-07-002
417-06-110	NEW-E	91-13-021	434-26-900	NEW-P	91-13-022	434-42-975	NEW-W	91-07-003
417-06-110	NEW-P	91-15-028	434-26-900	NEW	91-18-013	434-42-980	NEW-P	91-03-125
417-06-120	NEW-E	91-13-021	434-40-010	AMD-E	91-14-080	434-42-980	NEW-E	91-03-126
417-06-120	NEW-P	91-15-028	434-40-010	AMD-P	91-17-046	434-42-980	REP-E	91-07-002
417-06-130	NEW-E	91-13-021	434-40-050	AMD-E	91-14-080	434-42-980	NEW-W	91-07-003
417-06-130	NEW-P	91-15-028	434-40-050	AMD-P	91-17-046	434-42-985	NEW-P	91-03-125
417-06-140	NEW-E	91-13-021	434-40-060	AMD-E	91-14-080	434-42-985	NEW-E	91-03-126
417-06-140	NEW-P	91-15-028	434-40-060	AMD-P	91-17-046	434-42-985	REP-E	91-07-002
417-06-150	NEW-E	91-13-021	434-40-070	AMD-E	91-14-080	434-42-985	NEW-W	91-07-003
417-06-150	NEW-P	91-15-028	434-40-070	AMD-P	91-17-046	434-75-010	NEW-P	91-13-016
417-06-160	NEW-E	91-13-021	434-40-080	AMD-E	91-14-080	434-75-010	NEW	91-18-012
417-06-160	NEW-P	91-15-028	434-40-080	AMD-P	91-17-046	434-75-020	NEW-P	91-13-016
417-06-170	NEW-E	91-13-021	434-40-180	AMD-E	91-14-080	434-75-020	NEW	91-18-012
417-06-170	NEW-P	91-15-028	434-40-180	AMD-P	91-17-046	434-75-030	NEW-P	91-13-016
419-14-030	AMD-P	91-03-107	434-42-900	NEW-P	91-03-125	434-75-030	NEW	91-18-012
419-14-030	AMD	91-06-063	434-42-900	NEW-E	91-03-126	434-75-040	NEW-P	91-13-016
419-14-040	AMD-P	91-03-107	434-42-900	REP-E	91-07-002	434-75-040	NEW	91-18-012
419-14-040	AMD	91-06-063	434-42-900	NEW-W	91-07-003	434-75-050	NEW-P	91-13-016
419-14-090	AMD-P	91-03-107	434-42-905	NEW-P	91-03-125	434-75-050	NEW	91-18-012
419-14-090	AMD	91-06-063	434-42-905	NEW-E	91-03-126	434-75-060	NEW-P	91-13-016
419-14-100	AMD-P	91-03-107	434-42-905	REP-E	91-07-002	434-75-060	NEW	91-18-012
419-14-100	AMD	91-06-063	434-42-905	NEW-W	91-07-003	434-75-070	NEW-P	91-13-016
419-14-110	AMD-P	91-03-107	434-42-910	NEW-P	91-03-125	434-75-070	NEW	91-18-012
419-14-110	AMD	91-06-063	434-42-910	NEW-E	91-03-126	434-75-080	NEW-P	91-13-016
419-18-030	AMD-P	91-03-106	434-42-910	REP-E	91-07-002	434-75-080	NEW	91-18-012
419-18-030	AMD	91-06-062	434-42-910	NEW-W	91-07-003	434-75-090	NEW-P	91-13-016
419-18-040	AMD-P	91-03-106	434-42-915	NEW-P	91-03-125	434-75-090	NEW	91-18-012
419-18-040	AMD	91-06-062	434-42-915	NEW-E	91-03-126	434-75-100	NEW-P	91-13-016
419-18-050	AMD-P	91-03-106	434-42-915	REP-E	91-07-002	434-75-100	NEW	91-18-012
419-18-050	AMD	91-06-062	434-42-915	NEW-W	91-07-003	434-75-110	NEW-P	91-13-016
419-18-060	AMD-P	91-03-106	434-42-920	NEW-P	91-03-125	434-75-110	NEW	91-18-012
419-18-060	AMD	91-06-062	434-42-920	NEW-E	91-03-126	434-75-120	NEW-P	91-13-016
419-18-070	AMD-P	91-03-106	434-42-920	REP-E	91-07-002	434-75-120	NEW	91-18-012
419-18-070	AMD	91-06-062	434-42-920	NEW-W	91-07-003	434-75-130	NEW-P	91-13-016
434-15-010	REP-P	91-17-054	434-42-925	NEW-P	91-03-125	434-75-130	NEW	91-18-012
434-15-020	REP-P	91-17-054	434-42-925	NEW-E	91-03-126	434-75-140	NEW-P	91-13-016
434-15-030	REP-P	91-17-054	434-42-925	REP-E	91-07-002	434-75-140	NEW	91-18-012
434-15-040	REP-P	91-17-054	434-42-930	NEW-W	91-07-003	434-75-150	NEW-P	91-13-016
434-15-050	REP-P	91-17-054	434-42-930	NEW-P	91-03-125	434-75-150	NEW	91-18-012
434-15-060	REP-P	91-17-054	434-42-930	NEW-E	91-03-126	434-75-160	NEW-P	91-13-016
434-15-070	REP-P	91-17-054	434-42-930	REP-E	91-07-002	434-75-160	NEW	91-18-012
434-15-080	REP-P	91-17-054	434-42-930	NEW-W	91-07-003	434-75-170	NEW-P	91-13-016

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
434-75-170	NEW	91-18-012	434-840-921	NEW-E	91-14-079	448-12-070	REP-S	91-03-123
434-75-180	NEW-P	91-13-016	434-840-922	NEW-E	91-14-079	448-12-070	REP	91-06-022
434-75-180	NEW	91-18-012	434-840-923	NEW-E	91-14-079	448-12-075	REP-S	91-03-123
434-75-190	NEW-P	91-13-016	434-840-930	NEW-E	91-14-079	448-12-075	REP	91-06-022
434-75-190	NEW	91-18-012	434-840-931	NEW-E	91-14-079	448-12-080	REP-S	91-03-123
434-75-200	NEW-P	91-13-016	434-840-932	NEW-E	91-14-079	448-12-080	REP	91-06-022
434-75-200	NEW	91-18-012	434-840-933	NEW-E	91-14-079	448-12-090	REP-S	91-03-123
434-75-210	NEW-P	91-13-016	434-840-934	NEW-E	91-14-079	448-12-090	REP	91-06-022
434-75-210	NEW	91-18-012	434-840-940	NEW-E	91-14-079	448-12-100	REP-S	91-03-123
434-75-220	NEW-P	91-13-016	434-840-941	NEW-E	91-14-079	448-12-100	REP	91-06-022
434-75-220	NEW	91-18-012	434-840-942	NEW-E	91-14-079	448-12-210	REP-S	91-03-123
434-75-230	NEW-P	91-13-016	434-840-943	NEW-E	91-14-079	448-12-210	REP	91-06-022
434-75-230	NEW	91-18-012	434-840-944	NEW-E	91-14-079	448-12-220	REP-S	91-03-123
434-75-240	NEW-P	91-13-016	434-840-945	NEW-E	91-14-079	448-12-220	REP	91-06-022
434-75-240	NEW	91-18-012	434-840-946	NEW-E	91-14-079	448-12-230	REP-S	91-03-123
434-75-250	NEW-P	91-13-016	434-840-947	NEW-E	91-14-079	448-12-230	REP	91-06-022
434-75-250	NEW	91-18-012	440-44-050	REP-W	91-08-059	448-12-240	REP-S	91-03-123
434-75-260	NEW-P	91-13-016	440-44-057	REP-W	91-08-059	448-12-240	REP	91-06-022
434-75-260	NEW	91-18-012	440-44-058	REP-W	91-08-059	448-12-250	REP-S	91-03-123
434-75-270	NEW-P	91-13-016	440-44-059	REP-W	91-08-059	448-12-250	REP	91-06-022
434-75-270	NEW	91-18-012	440-44-060	REP-W	91-08-059	448-12-260	REP-S	91-03-123
434-75-280	NEW-P	91-13-016	440-44-062	REP-W	91-08-059	448-12-260	REP	91-06-022
434-75-280	NEW	91-18-012	440-44-085	REP-P	91-15-061	448-12-270	REP-S	91-03-123
434-75-290	NEW-P	91-13-016	440-44-085	REP-E	91-15-064	448-12-270	REP	91-06-022
434-75-290	NEW	91-18-012	446-16-080	AMD-P	91-16-099	448-12-280	REP-S	91-03-123
434-75-300	NEW-P	91-13-016	446-20-500	AMD-P	91-15-045	448-12-280	REP	91-06-022
434-75-300	NEW	91-18-012	446-20-510	AMD-P	91-15-045	448-12-290	REP-S	91-03-123
434-75-310	NEW-P	91-13-016	446-20-515	AMD-P	91-15-045	448-12-290	REP	91-06-022
434-75-310	NEW	91-18-012	446-65	AMD-P	91-16-098	448-12-300	REP-S	91-03-123
434-75-320	NEW-P	91-13-016	446-65-005	NEW-E	91-06-050	448-12-300	REP	91-06-022
434-75-320	NEW	91-18-012	446-65-005	NEW	91-06-066	448-12-320	REP-S	91-03-123
434-75-330	NEW-P	91-13-016	446-65-005	AMD-P	91-16-098	448-12-320	REP	91-06-022
434-75-330	NEW	91-18-012	446-65-010	NEW-E	91-06-050	448-12-330	REP-S	91-03-123
434-75-340	NEW-P	91-13-016	446-65-010	NEW	91-06-066	448-12-330	REP	91-06-022
434-75-340	NEW	91-18-012	446-65-010	AMD-P	91-16-098	448-12-340	REP-S	91-03-123
434-75-350	NEW-P	91-13-016	446-75-010	NEW-P	91-07-045	448-12-340	REP	91-06-022
434-75-350	NEW	91-18-012	446-75-010	NEW-E	91-07-046	448-13-010	NEW-S	91-03-123
434-840-001	NEW-P	91-17-046	446-75-010	NEW	91-11-046	448-13-010	NEW	91-06-022
434-840-005	NEW-P	91-17-046	446-75-020	NEW-P	91-07-045	448-13-020	NEW-S	91-03-123
434-840-010	NEW-P	91-17-046	446-75-020	NEW-E	91-07-046	448-13-020	NEW	91-06-022
434-840-020	NEW-P	91-17-046	446-75-020	NEW	91-11-046	448-13-020	AMD-E	91-18-033
434-840-030	NEW-P	91-17-046	446-75-030	NEW-P	91-07-045	448-13-020	AMD-P	91-18-034
434-840-040	NEW-P	91-17-046	446-75-030	NEW-E	91-07-046	448-13-030	NEW-S	91-03-123
434-840-050	NEW-P	91-17-046	446-75-030	NEW	91-11-046	448-13-030	NEW	91-06-022
434-840-060	NEW-P	91-17-046	446-75-040	NEW-P	91-07-045	448-13-040	NEW-S	91-03-123
434-840-070	NEW-P	91-17-046	446-75-040	NEW-E	91-07-046	448-13-040	NEW	91-06-022
434-840-080	NEW-P	91-17-046	446-75-040	NEW	91-11-046	448-13-040	AMD-P	91-18-034
434-840-090	NEW-P	91-17-046	446-75-050	NEW-P	91-07-045	448-13-040	AMD-E	91-18-033
434-840-100	NEW-P	91-17-046	446-75-050	NEW-E	91-07-046	448-13-050	NEW-S	91-03-123
434-840-110	NEW-P	91-17-046	446-75-050	NEW	91-11-046	448-13-050	NEW	91-06-022
434-840-120	NEW-P	91-17-046	446-75-060	NEW-P	91-07-045	448-13-060	NEW-S	91-03-123
434-840-130	NEW-P	91-17-046	446-75-060	NEW-E	91-07-046	448-13-060	NEW	91-06-022
434-840-200	NEW-P	91-17-046	446-75-060	NEW	91-11-046	448-13-070	NEW-S	91-03-123
434-840-210	NEW-P	91-17-046	446-75-070	NEW-P	91-07-045	448-13-070	NEW	91-06-022
434-840-220	NEW-P	91-17-046	446-75-070	NEW-E	91-07-046	448-13-080	NEW-S	91-03-123
434-840-230	NEW-P	91-17-046	446-75-070	NEW	91-11-046	448-13-080	NEW	91-06-022
434-840-240	NEW-P	91-17-046	446-75-080	NEW-P	91-07-045	448-13-080	AMD-E	91-18-033
434-840-300	NEW-P	91-17-046	446-75-080	NEW-E	91-07-046	448-13-080	AMD-P	91-18-034
434-840-310	NEW-P	91-17-046	446-75-080	NEW	91-11-046	448-13-090	NEW-S	91-03-123
434-840-320	NEW-P	91-17-046	448-12-010	REP-S	91-03-123	448-13-090	NEW	91-06-022
434-840-330	NEW-P	91-17-046	448-12-010	REP	91-06-022	448-13-100	NEW-S	91-03-123
434-840-340	NEW-P	91-17-046	448-12-015	REP-S	91-03-123	448-13-100	NEW	91-06-022
434-840-350	NEW-P	91-17-046	448-12-015	REP	91-06-022	448-13-110	NEW-S	91-03-123
434-840-360	NEW-P	91-17-046	448-12-016	REP-S	91-03-123	448-13-110	NEW	91-06-022
434-840-370	NEW-P	91-17-046	448-12-016	REP	91-06-022	448-13-120	NEW-S	91-03-123
434-840-900	NEW-E	91-14-079	448-12-020	REP-S	91-03-123	448-13-120	NEW	91-06-022
434-840-901	NEW-E	91-14-079	448-12-020	REP	91-06-022	448-13-130	NEW-S	91-03-123
434-840-902	NEW-E	91-14-079	448-12-030	REP-S	91-03-123	448-13-130	NEW	91-06-022
434-840-903	NEW-E	91-14-079	448-12-030	REP	91-06-022	448-13-140	NEW-S	91-03-123
434-840-904	NEW-E	91-14-079	448-12-040	REP-S	91-03-123	448-13-140	NEW	91-06-022
434-840-905	NEW-E	91-14-079	448-12-040	REP	91-06-022	448-13-150	NEW-S	91-03-123
434-840-906	NEW-E	91-14-079	448-12-050	REP-S	91-03-123	448-13-150	NEW	91-06-022
434-840-907	NEW-E	91-14-079	448-12-050	REP	91-06-022	448-13-160	NEW-S	91-03-123
434-840-908	NEW-E	91-14-079	448-12-055	REP-S	91-03-123	448-13-160	NEW	91-06-022
434-840-909	NEW-E	91-14-079	448-12-055	REP	91-06-022	448-13-170	NEW-S	91-03-123
434-840-910	NEW-E	91-14-079	448-12-060	REP-S	91-03-123	448-13-170	NEW	91-06-022
434-840-920	NEW-E	91-14-079	448-12-060	REP	91-06-022	448-13-170	AMD-E	91-18-033

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
448-13-170	AMD-P	91-18-034	458-14-150	REP	91-07-040	460-31A-460	REP	91-04-012
448-13-180	NEW-S	91-03-123	458-14-152	REP	91-07-040	460-31A-465	REP	91-04-012
448-13-180	NEW	91-06-022	458-14-155	REP	91-07-040	460-31A-470	REP	91-04-012
448-13-190	NEW-S	91-03-123	458-16-013	AMD-E	91-13-074	460-31A-475	REP	91-04-012
448-13-190	NEW	91-06-022	458-16-020	AMD-E	91-13-074	460-31A-480	REP	91-04-012
448-13-200	NEW-S	91-03-123	458-18-010	AMD-E	91-13-075	460-31A-485	REP	91-04-012
448-13-200	NEW	91-06-022	458-18-020	AMD-E	91-13-075	460-31A-490	REP	91-04-012
448-13-210	NEW-S	91-03-123	458-18-220	AMD-P	91-10-070	460-31A-495	REP	91-04-012
448-13-210	NEW	91-06-022	458-18-220	AMD	91-15-024	460-31A-500	REP	91-04-012
448-13-220	NEW-S	91-03-123	458-20-105	AMD-E	91-14-050	460-31A-505	REP	91-04-012
448-13-220	NEW	91-06-022	458-20-105	PREP	91-17-029	460-31A-510	REP	91-04-012
448-14-010	REP-P	91-03-124	458-20-109	PREP	91-03-057	460-31A-515	REP	91-04-012
448-14-010	REP-W	91-16-077	458-20-109	AMD-P	91-11-005	460-31A-520	REP	91-04-012
448-14-020	REP-P	91-03-124	458-20-110	PREP	91-03-058	460-31A-525	REP	91-04-012
448-14-020	REP-W	91-16-077	458-20-110	AMD-P	91-11-004	460-31A-530	REP	91-04-012
448-14-030	REP-P	91-03-124	458-20-126	PREP	91-04-062	460-31A-535	REP	91-04-012
448-14-030	REP-W	91-16-077	458-20-126	AMD-P	91-11-002	460-31A-540	REP	91-04-012
448-15-010	NEW-P	91-03-124	458-20-126	AMD	91-15-022	460-31A-545	REP	91-04-012
448-15-010	NEW-W	91-16-077	458-20-127	PREP	91-08-044	460-31A-550	REP	91-04-012
448-15-020	NEW-P	91-03-124	458-20-151	PREP	91-04-061	460-31A-555	REP	91-04-012
448-15-020	NEW-W	91-16-077	458-20-151	AMD-P	91-11-003	460-31A-560	REP	91-04-012
448-15-030	NEW-P	91-03-124	458-20-151	AMD	91-15-023	460-31A-565	REP	91-04-012
448-15-030	NEW-W	91-16-077	458-20-163	AMD	91-05-040	460-31A-570	REP	91-04-012
448-15-040	NEW-P	91-03-124	458-20-164	AMD-E	91-14-049	460-31A-575	REP	91-04-012
448-15-040	NEW-W	91-16-077	458-20-164	PREP	91-17-028	460-31A-580	REP	91-04-012
448-15-050	NEW-P	91-03-124	458-20-166	PREP	91-08-045	460-31A-585	REP	91-04-012
448-15-050	NEW-W	91-16-077	458-20-169	PREP	91-12-062	460-31A-590	REP	91-04-012
448-15-060	NEW-P	91-03-124	458-20-169	AMD-P	91-17-084	460-31A-595	REP	91-04-012
448-15-060	NEW-W	91-16-077	458-20-169	AMD-E	91-17-085	460-31A-600	REP	91-04-012
448-15-070	NEW-P	91-03-124	458-20-18601	NEW-E	91-14-027	460-31A-605	REP	91-04-012
448-15-070	NEW-W	91-16-077	458-20-18601	PREP	91-17-030	460-31A-610	REP	91-04-012
448-15-080	NEW-P	91-03-124	458-20-18801	PREP	91-12-002	460-31A-615	REP	91-04-012
448-15-080	NEW-W	91-16-077	458-20-193A	PREP	91-13-073	460-31A-620	REP	91-04-012
456-09-210	AMD-P	91-04-084	458-20-193B	PREP	91-13-073	460-31A-625	REP	91-04-012
456-09-210	AMD	91-07-038	458-20-193B	PREP	91-08-043	460-31A-630	REP	91-04-012
456-09-325	AMD-P	91-04-084	458-20-227	AMD	91-05-039	460-31A-635	REP	91-04-012
456-09-325	AMD	91-07-038	458-20-228	PREP	91-16-008	460-31A-640	REP	91-04-012
456-09-365	AMD-P	91-04-084	458-20-22802	PREP	91-17-026	460-31A-645	REP	91-04-012
456-09-365	AMD	91-07-038	458-20-229	PREP	91-16-009	460-31A-650	REP	91-04-012
456-10-360	AMD-P	91-04-083	458-20-237	AMD	91-05-038	460-31A-655	REP	91-04-012
456-10-360	AMD	91-07-039	458-20-255	AMD-E	91-12-003	460-31A-660	REP	91-04-012
456-10-547	NEW-P	91-04-083	458-20-255	PREP	91-12-063	460-31A-665	REP	91-04-012
456-10-547	NEW	91-07-039	458-20-255	AMD-P	91-16-010	460-31A-670	REP	91-04-012
458-12-251	PREP	91-18-025	458-20-615	PREP	91-17-027	460-31A-675	REP	91-04-012
458-14-010	REP	91-07-040	458-20-262	AMD	91-04-001	460-31A-680	REP	91-04-012
458-14-020	REP	91-07-040	458-40-615	NEW-E	91-16-053	460-31A-685	REP	91-04-012
458-14-030	REP	91-07-040	458-40-660	AMD-P	91-06-052	460-31A-690	REP	91-04-012
458-14-040	REP	91-07-040	458-40-660	AMD-E	91-06-053	460-31A-695	REP	91-04-012
458-14-045	REP	91-07-040	458-40-660	AMD	91-09-030	460-31A-700	REP	91-04-012
458-14-050	REP	91-07-040	458-40-660	AMD-P	91-10-090	460-31A-705	REP	91-04-012
458-14-052	REP	91-07-040	458-40-660	AMD	91-14-077	460-31A-710	REP	91-04-012
458-14-055	REP	91-07-040	458-40-670	AMD-P	91-10-090	460-31A-715	REP	91-04-012
458-14-060	REP	91-07-040	458-40-670	AMD	91-14-077	460-31A-720	REP	91-04-012
458-14-062	REP	91-07-040	458-50-085	PREP	91-18-025	460-31A-725	REP	91-04-012
458-14-065	REP	91-07-040	460-11A-010	NEW-P	91-14-089	460-31A-730	REP	91-04-012
458-14-070	REP	91-07-040	460-11A-010	NEW	91-18-014	460-34A-010	REP	91-04-012
458-14-075	REP	91-07-040	460-11A-020	NEW-P	91-14-089	460-34A-015	REP	91-04-012
458-14-080	REP	91-07-040	460-11A-020	NEW	91-18-014	460-34A-020	REP	91-04-012
458-14-085	REP	91-07-040	460-11A-030	NEW-P	91-14-089	460-34A-025	REP	91-04-012
458-14-086	REP	91-07-040	460-11A-030	NEW	91-18-014	460-34A-030	REP	91-04-012
458-14-090	REP	91-07-040	460-11A-040	NEW-P	91-14-089	460-34A-035	REP	91-04-012
458-14-091	REP	91-07-040	460-11A-040	NEW	91-18-014	460-34A-037	REP	91-04-012
458-14-092	REP	91-07-040	460-16A-102	AMD	91-04-008	460-34A-040	REP	91-04-012
458-14-094	REP	91-07-040	460-16A-200	NEW	91-04-008	460-34A-045	REP	91-04-012
458-14-098	REP	91-07-040	460-16A-205	NEW	91-04-008	460-34A-050	REP	91-04-012
458-14-100	REP	91-07-040	460-17A-030	AMD	91-04-009	460-34A-055	REP	91-04-012
458-14-110	REP	91-07-040	460-17A-070	AMD	91-04-009	460-34A-060	REP	91-04-012
458-14-115	REP	91-07-040	460-31A-410	REP	91-04-012	460-34A-065	REP	91-04-012
458-14-120	REP	91-07-040	460-31A-415	REP	91-04-012	460-34A-070	REP	91-04-012
458-14-121	REP	91-07-040	460-31A-420	REP	91-04-012	460-34A-075	REP	91-04-012
458-14-122	REP	91-07-040	460-31A-425	REP	91-04-012	460-34A-080	REP	91-04-012
458-14-125	REP	91-07-040	460-31A-430	REP	91-04-012	460-34A-085	REP	91-04-012
458-14-126	REP	91-07-040	460-31A-435	REP	91-04-012	460-34A-090	REP	91-04-012
458-14-130	REP	91-07-040	460-31A-440	REP	91-04-012	460-34A-095	REP	91-04-012
458-14-135	REP	91-07-040	460-31A-445	REP	91-04-012	460-34A-100	REP	91-04-012
458-14-140	REP	91-07-040	460-31A-450	REP	91-04-012	460-34A-105	REP	91-04-012
458-14-145	REP	91-07-040	460-31A-455	REP	91-04-012	460-34A-110	REP	91-04-012

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WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
460-34A-112	REP	91-04-012	468-16-190	NEW	91-04-014	478-116-230	AMD-P	91-06-092
460-34A-115	REP	91-04-012	468-16-200	NEW	91-04-014	478-116-230	AMD	91-11-029
460-34A-120	REP	91-04-012	468-16-210	NEW	91-04-014	478-116-230	AMD	91-12-047
460-34A-125	REP	91-04-012	468-38-035	REP-P	91-06-078	478-116-240	AMD-P	91-06-092
460-34A-130	REP	91-04-012	468-38-035	REP	91-10-023	478-116-240	AMD	91-11-029
460-34A-135	REP	91-04-012	468-38-050	AMD-P	91-06-078	478-116-240	AMD	91-12-047
460-34A-200	REP	91-04-012	468-38-050	AMD	91-10-023	478-116-250	AMD-P	91-06-092
460-36A-100	REP	91-04-012	468-38-190	AMD-P	91-06-079	478-116-250	AMD	91-11-029
460-36A-105	REP	91-04-012	468-38-190	AMD	91-10-022	478-116-250	AMD	91-12-047
460-36A-110	REP	91-04-012	468-38-260	AMD-P	91-06-078	478-116-260	AMD-P	91-06-092
460-36A-115	REP	91-04-012	468-38-260	AMD	91-10-023	478-116-260	AMD	91-11-029
460-36A-120	REP	91-04-012	468-38-260	AMD	91-10-054	478-116-260	AMD	91-12-047
460-36A-125	REP	91-04-012	468-38-370	REP-P	91-06-078	478-116-300	AMD-P	91-06-092
460-36A-130	REP	91-04-012	468-38-370	REP	91-10-023	478-116-300	AMD	91-11-029
460-36A-135	REP	91-04-012	468-38-400	REP-P	91-06-078	478-116-300	AMD	91-12-047
460-36A-140	REP	91-04-012	468-38-400	REP	91-10-023	478-116-360	AMD-P	91-06-092
460-36A-145	REP	91-04-012	468-38-410	REP-P	91-06-078	478-116-360	AMD	91-11-029
460-36A-150	REP	91-04-012	468-38-410	REP	91-10-023	478-116-360	AMD	91-12-047
460-36A-155	REP	91-04-012	468-54-020	AMD-P	91-12-031	478-116-390	AMD-P	91-06-092
460-36A-160	REP	91-04-012	468-54-020	AMD	91-18-023	478-116-390	AMD	91-11-029
460-36A-165	REP	91-04-012	468-54-040	AMD-P	91-12-031	478-116-390	AMD	91-12-047
460-36A-170	REP	91-04-012	468-54-040	AMD	91-18-023	478-116-450	AMD-P	91-06-092
460-36A-175	REP	91-04-012	468-54-050	AMD-P	91-12-031	478-116-450	AMD	91-11-029
460-36A-180	REP	91-04-012	468-54-050	AMD	91-18-023	478-116-450	AMD	91-12-047
460-36A-185	REP	91-04-012	468-54-065	AMD-P	91-12-031	478-116-455	NEW-P	91-06-092
460-36A-190	REP	91-04-012	468-54-065	AMD	91-18-023	478-116-463	NEW-P	91-06-092
460-36A-195	REP	91-04-012	468-54-070	AMD-P	91-12-031	478-116-470	AMD-P	91-06-092
460-42A-081	AMD	91-04-010	468-54-070	AMD	91-18-023	478-116-520	AMD-P	91-06-092
460-46A-020	AMD	91-04-011	468-70-030	AMD-P	91-13-024	478-116-520	AMD	91-11-029
460-46A-040	AMD	91-04-011	468-70-030	AMD	91-17-012	478-116-520	AMD	91-12-047
460-46A-050	AMD	91-04-011	468-70-050	AMD-P	91-13-024	478-116-540	AMD-P	91-06-092
460-46A-055	NEW	91-04-011	468-70-050	AMD	91-17-012	478-116-584	AMD-P	91-06-092
460-46A-061	NEW	91-04-011	468-70-060	AMD-P	91-13-024	478-116-584	AMD	91-11-029
460-46A-065	NEW	91-04-011	468-70-060	AMD	91-17-012	478-116-584	AMD	91-12-047
460-46A-071	NEW	91-04-011	468-70-070	AMD-P	91-13-024	478-116-586	AMD-P	91-06-092
460-46A-072	NEW	91-04-011	468-70-070	AMD	91-17-012	478-116-586	AMD	91-11-029
460-46A-095	AMD	91-04-011	468-300-010	AMD-P	91-14-031	478-116-586	AMD	91-12-047
460-46A-110	AMD	91-04-011	468-300-010	AMD-E	91-14-032	478-116-588	AMD-P	91-06-092
463-06-010	AMD	91-03-090	468-300-010	AMD	91-18-022	478-116-588	AMD	91-11-029
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