

WSR 08-04-012

AGENDA

DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

[Filed January 24, 2008, 1:56 p.m.]

Following is the department of social and health services' semi-annual rule-making agenda for January 2, 2008, through June 30, 2008. This agenda will be published in the Washington state register under RCW 34.05.314 and distributed to interested parties, and is available online at <http://www1.dshs.wa.gov/msa/rpau/>.

This report represents DSHS rules under development at this time. There may be additional rule-making activity as DSHS responds to legislative actions, to comply with federal mandates, or to meet unforeseen circumstances.

Semi-Annual Rule-Making Agenda
January 1, 2008, through June 30, 2008

WAC Chapter or WAC Number	WAC Chapter or Section Caption	Subject Matter	Program Contact Person	Current Activity (the "WSR" number is the official filing number)			
				Emergency Rule	Preproposal Rule	Proposed Rule	Permanent (Final) Rule
Aging and Disability Services Administration (ADSA)							
ADSA - Division of Developmental Disabilities (DDD)							
Chapters 388-823, 388-825, and 388-830	DDD intake and determination rules; DDD services rules; DDD program option rules.	Amending rules to correct cross references and clarify incomplete information in rules.	Steve Brink ADSA-DDD		WSR 06-16-125 Filed 8/1/06		
Chapter 388-824	DDD mini assessment.	Repealing sections in this chapter that have been replaced by the DDD assessment in chapter 388-828 WAC.	Debbie Roberts ADSA-DDD		WSR 07-05-037 Filed 2/14/07	WSR 07-23-063 Hearing 12/27/07	
Chapter 388-825	DDD service rules.	Defining and reorganizing the rules governing the delivery of services to individuals with developmental disabilities.	Steve Brink ADSA-DDD		WSR 07-09-046 Filed 4/11/07		
WAC 388-825-103 388-825-145	DDD service rules.	Complying with the proposed order and settlement agreement under <i>Boyle v. Arnold-Williams</i> .	Steve Brink ADSA-DDD	WSR 07-23-012 Filed 11/8/07	WSR 07-09-046 Filed 4/11/07	WSR 08-01-086 Hearing 1/22/08	
Chapter 388-828	DDD assessment—Residential service levels.	Incorporating the residential algorithm and the individual and family services assessment algorithm into the DDD assessment.	Debbie Roberts ADSA-DDD	WSR 07-23-020 Filed 11/9/07	WSR 07-15-081 Filed 7/18/07		
WAC 388-828-5080	DDD assessment.	Amending the section to be consistent with the DDD assessment.	Debbie Roberts ADSA-DDD	WSR 07-21-145 Filed 10/24/07	WSR 07-15-081 Filed 7/18/07		
WAC 388-828-5360 388-828-9000 388-828-9020 388-828-9040 388-828-9060 388-828-9100	DDD assessment.	Creating WAC 388-828-9000, 388-828-9020, 388-828-9040, 388-828-9060, 388-828-9080, 388-828-9100, 388-	Debbie Roberts ADSA-DDD	WSR 07-24-029 Filed 11/28/07	WSR 07-14-081 Filed 6/29/07		

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388-828-9120 388-828-9140		828-9120, 388-828-9140 to combine three family support programs into one individual and family services program as directed by the legislature.					
Chapter 388-830	Division of developmental disabilities program option rules.	Repealing all sections in chapter 388-830 WAC because the rules are obsolete.	Steve Brink ADSA-DDD		WSR 07-17-112 Filed 8/17/07	WSR 07-23-054 Hearing 12/27/07	WSR 08-03-023 Effective 2/8/08
Chapter 388-831 (new)	Community protection program.	Establishing the community protection program as directed by recent state law.	Steve Brink ADSA-DDD		WSR 06-08-034 Filed 3/28/06		
WAC 388-832-0001 through 388-832-0470	Individual and family services.	Combining three family support programs into one individual and family services program.	Steve Brink ADSA-DDD	WSR 07-22-019 Filed 10/26/07	WSR 07-10-018 Filed 4/20/07		
Chapter 388-835	ICF/MR program and reimbursement system.	Amending language to reflect new rates for intermediate care facilities for the mentally retarded.	Steve Brink ADSA-DDD		Planned for future action		
WAC 388-845-1605	Who is eligible to receive respite care?	Ensuring consistent application of the rules across the programs administered by DDD.	Steve Brink ADSA-DDD	WSR 08-03-063 Filed 1/14/08	WSR 06-09-013 Filed 4/10/06	WSR 07-24-065 Hearing 1/8/08	WSR 08-03-109 Effective 2/22/08
Chapter 388-850	County plan for developmental disabilities.	Rewriting rules in "plain talk" format and clarifying language.	Steve Brink ADSA-DDD		Planned for future action.		
Chapter 388-853	Costs of care of mentally deficient persons residing in state institutions.	Repealing all sections in chapter 388-853 WAC. The chapter has been replaced by chapter 388-835 WAC.	Steve Brink ADSA-DDD		WSR 07-17-113 Filed 8/17/07	WSR 07-23-053 Hearing 12/27/07	WSR 08-03-024 Effective 2/8/08
ADSA - Home and Community Services (HCS)							
Chapter 388-106	Long-term care services.	Drafting a new section entitled, "Roads to community living" to describe the nature of demonstration project services under the money follows the person grant.	Elizabeth Prince ADSA-HCS		WSR 07-22-085 Filed 11/6/07		
WAC 388-106-0020	Under MPC, COPEs, MNRW, MNIW and CHORE programs, what services are not covered?	Amends guidelines pertaining to the administration of sterile procedures to more clearly articulate who can and cannot perform certain services.	Kristi Knudsen ADSA-HCS		WSR 07-13-059 Filed 6/16/07	WSR 08-01-089 Hearing 1/22/08	

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WAC 388-106-0100 388-106-0110 388-106-0125	Long-term care services.	Amending the in-home classifications to allow hours for clients with complex behavioral and cognitive issues and for clients with extremely high needs for assistance with activities of daily living.	Kristi Knudsen ADSA-HCS	WSR 08-02-056 Filed 12/28/07	WSR 07-15-048 Filed 7/13/07	WSR 08-02-027 Hearing 2/5/08	
WAC 388-106-0130	Long-term care services.	Amending the section to comply with a supreme court decision pertaining to shared living.	Kristi Knudsen ADSA-HCS	WSR 07-22-021 Filed 11/26/07	WSR 07-14-033 Filed 6/26/07	WSR 07-24-066 Hearing 1/8/08	WSR 08-03-111 Effective 2/22/08
WAC 388-112-0250 388-112-02605 388-112-02610 388-112-02615 388-112-02620 388-112-02625 388-112-02630	Residential long-term care services.	Amending and adopting new rules to: Clarify CPR requirements and the course content for HIV/AIDS training; and requiring adult family home administrators to complete training, to comply with a 2006 change in state law.	Barbara Hanneman ADSA-HCS		WSR 06-18-083 Filed 9/5/06	WSR06-22-079 (CR-102 expired. One section was adopted under WSR 07-01-045, the rest will be repropose.)	
WAC 388-513-1320	Determining institutional status for long-term care services.	Clarifying institutional status.	Lori Rolley ADSA-HCS		WSR 07-12-068 Filed 6/4/07		
WAC 388-513-1350 388-513-1380	Long-term care services.	Updating the 2008 federal resource standard and federal maximum maintenance standard that increase on January 1, 2008.	Lori Rolley ADSA-HCS	WSR 08-02-057 Filed 12/28/07	WSR 07-22-063 Filed 11/2/07		
WAC 388-515-1510	DDD waivers and outward bound residential alternatives (OBRA).	Increasing the personal needs allowance and amending waiver language.	Tiffany Sevruck ADSA-HCS	WSR 07-22-018 Filed 10/26/07	WSR 07-12-065 Filed 6/4/07		
ADSA - Office of Rates Management							
Chapter 388-96	Nursing facility Medicaid payment system.	Adopting rules defining "home office" to help determine whether a nursing home is a "vital local provider" under state law.	Ed Southon ADSA-Nursing Home Rates Section		WSR 06-16-124 Filed 8/1/06		
Chapter 388-96	Nursing facility Medicaid payment system.	Amending rules on: Accounts receivable audits; residents' funds that a home must deposit; the definition of "direct care supplies;" the direct care rate for unbanked beds; minimum occupancy when setting rates; etc.	Patricia Hague ASDA-Office of Rates Management		WSR 06-24-112 Filed 12/6/06		

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Chapter 388-96	Nursing facility Medicaid payment system.	Amending rules to clarify the treatment of quality maintenance fee costs in rebases of the Medicaid nursing home payment rate that are based on cost reports from 2005 forward.	Patricia Hague ASDA-Office of Rates Management		WSR 07-05-024 Filed 2/13/07		
WAC 388-97-550 388-97-555	Nursing homes.	Increasing the nursing home bed license fee to comply with RCW 18.51.050 requiring the department to establish license fees at an amount adequate to reimburse the department in full for all costs of its licensing activities for nursing homes.	Patricia Hague ASDA-Office of Rates Management		WSR 08-03-072 Filed 1/14/08		
ADSA - Residential Care Services (RCS)							
Chapter 388-76	Adult family homes minimum licensing requirements.	Clarifying due process rights of persons investigated for alleged abuse, neglect, exploitation and financial exploitation of an adult family home resident and amending other related sections.	Roger Woodside ADSA-RCS		WSR 07-15-026 Filed 7/12/07	WSR 07-21-139 Hearing 12/11/07	
WAC 388-76-10810	Fire extinguishers.	Correcting a typo in the numbering of this rule section.	Roger Woodside ADSA-RCS		<i>Note: This is a CR-105 Expedited Rule-Making action</i>	WSR 08-03-032 Comments due: 3/24/08	
Chapter 388-78A	Boarding home licensing rules.	Clarifying due process rights of persons investigated for alleged abuse, neglect, exploitation and financial exploitation of a boarding home resident, etc.	Todd Henry ADSA-RCS		WSR 07-15-025 Filed 7/12/07	WSR 07-21-140 Hearing 12/11/07	
Chapter 388-78A	Boarding homes.	Clarifying building requirements for new construction; enhancing readability of several sections; creating flexibility in construction requirements for providers to meet resident needs.	Todd Henry ADSA-RCS		WSR 07-23-078 Filed 11/19/07		
WAC 388-97-077	Nursing home resident protection program and other related sections.	Simplifying and clarifying existing due process for rights of individuals accused of abusing, neglecting, exploiting or financially exploiting vulnerable adults in nursing homes.	Lisa Yanagida ADSA-RCS		WSR 07-15-024 Filed 7/12/07		

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WAC 388-97-07015 388-97-147 388-97-155 388-97-162 388-97-347 388-97-555 388-97-965 388-97-595 388-97-625 388-97-29510	Nursing homes.	Changing outdated references; renumbering; adding language to be consistent with federal requirements and national standards; clarifying laundry system standards; deleting and updating sections on review of nursing home renewal licenses; clarifying new construction pre-occupancy process; adding language on electronic monitoring.	Judy Johnson ADSA-RCS		WSR 07-21-121 Filed 10/23/07		
Chapter 388-101	Certified community residential services and supports.	Revising rules regarding the community protection program, assessments, restrictive procedures, inspections, enforcement remedies, appeals, agency finances, and client's rights; addressing abuse and neglect reporting, and sections that involve the individual financial plans; and to meet federal requirements.	John Gaskell ADSA-RCS		WSR 05-07-132 Filed 3/22/05	WSR 07-18-094 Hearing 11/6/07	WSR 08-02-022 Effective 2/1/08
Children's Administration							
WAC chapter not determined yet	Domestic violence prevention.	Proposing new rules establishing standards for programs receiving domestic violence prevention funds.	Maureen Kelly Children's Administration		WSR 06-06-073 Filed 2/28/06		
WAC 388-15-005 388-15-077	Child protective services.	Reflecting changes from SSB 5321 regarding a new two-tiered finding system and new timeframes for expungement of records.	Tina Stern Children's Administration		Planned for future action.		
Chapter 388-39A	Child welfare services—Complaint resolution.	Child welfare services—Complaint resolution.	Children's Administration		Planned for future action.		
Economic Services Administration (ESA)							
ESA Division of Child Support (DCS)							
Chapter 388-14A	Division of child support rules.	Adopting new and amended sections to implement state legislation which implements the federal Deficit Reduction Act of 2005.	Nancy Koptur ESA-DCS	WSR 07-23-058 Filed 11/16/07	WSR 07-10-116 Filed 5/2/07		

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WAC 388-14A-3900 to 388-14A-3925	Division of child support rules.	Revising rules on modification of support orders.	Nancy Koptur ESA-DCS		WSR 03-22-054 Filed 10/31/03		
ESA - Division of Employment and Assistance Programs (DEAP)							
WAC chapter not yet determined	Basic Food and WASHCAP.	Amending rules impacting eligibility and benefit level for WASHCAP and Basic Food by adopting mandatory food stamp provisions of the 2007 federal Farm Bill.	John Camp ESA-DEAP		WSR 08-03-095 Filed 1/17/08		
WAC 388-310-0300 388-310-1450	WorkFirst.	Changing the one-time exemption for a parent with a child under twelve months.	Ian Horlor ESA-DEAP	WSR 07-23-056 Filed 11/16/07	WSR 07-11-116 Filed 5/18/07	WSR 07-22-067 Hearing 12/11/07	WSR 08-02-055 Effective 2/1/08
WAC 388-310-0400 388-310-0500 388-310-0600 388-310-0900 388-310-1000 88-310-1050 388-310-1100 388-310-1400 388-310-1500 388-310-1700	WorkFirst.	Amending rules to comply with federal law changes under the Deficit Reduction Act of 2005, Public Law 109-171.	Aurea Figueroa ESA-DEAP		WSR 06-21-055 Filed 10/13/06	WSR 07-24-034 Hearing 1/22/08	
WAC 388-406-0005	Can I apply for cash, medical, or Basic Food?	Allowing applications for youth prior to release from confinement.	John Camp ESA-DEAP		WSR 07-14-098 Filed 6/30/07	WSR 07-21-058 Hearing 11/27/07	
WAC 388-406-0035	How long does the department have to process my application?	Clarifying the section and updating the WACs that should be referenced in regards to applications that are delayed.	Jenny Egan Grayum ESA-DEAP		WSR 07-12-030 Filed 5/30/07		
WAC 388-412-0040	Can I get my benefits replaced?	Correcting a typographical error in subsection (4).	Jenny Egan Grayum ESA-DEAP		WSR 08-03-031 Filed 1/8/08		
WAC 399-418-0011	What is a mid-certification review and do I have to complete one in order to keep receiving benefits?	Modify the verification requirements for mid-certification reviews that households must complete in order to continue receiving cash, food, and medical benefits from the department.	John Camp ESA-DEAP	WSR 08-03-041 Filed 1/10/08	WSR 07-17-086 Filed 8/15/07	WSR 07-22-066 Hearing 12/11/07	WSR 08-02-053 Effective 2/1/08
WAC 388-428-0010 388-454-0025	Notifying parents of whereabouts of their children.	Revising rules governing notifying parents of the whereabouts of their children to comply with state law, and recognize the rights of parents and protect the safety of children.	Tom Berry ESA-DEAP		WSR 06-20-073 Filed 9/29/06		

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WAC 388-450-0162	Using countable income to determine eligibility and amount of cash and food assistance benefits.	Including references to WAC 388-478-0040 and 388-478-0045.	Logan McGregor ESA-DEAP		WSR 07-14-099 Filed 6/30/07		
WAC 388-450-0215	How does the department estimate my assistance unit's income to determine my eligibility and benefits?	Giving provisions for budgeting income that is received less frequently than monthly on an averaging basis even in the month of application.	Bill Callahan ESA-DEAP		WSR 07-06-051 Filed 3/2/07 (also see WSR 07-11-098)	WSR 07-11-091 Hearing 6/26/07 Supplemental: WSR 07-22-064 Hearing 12/11/07	WSR 08-02-054 Effective 2/1/08
WAC 388-454-0006	Background checks for persons acting in place of a parent without court-ordered custody.	Amending the rule to be consistent with working connections child care rules regarding background checks for adult child-caregivers applying for assistance for unrelated children in their care.	Tom Berry ESA-DEAP		WSR 06-09-037 Filed 4/13/06		
Chapter 388-455	Lump sum payments.	Correcting a WAC reference, using question and answer format, providing additional clarification of the impact of lump sum payments on a person's eligibility for department programs.	John Camp ESA-DEAP		WSR 07-17-032 Filed 8/7/07	WSR 07-22-037 Hearing 12/11/07	
Health and Recover Services Administration (HRSA)							
HRSA - Division of Alcohol and Substance Abuse (DASA)							
Chapter 388-800	Chemical dependency assistance programs.	Clarifying rules; updating references to patient eligibility standards; clarifying the process for secondary ADATSA clients.	Virginia Ochoa HRSA-DASA		WSR 05-02-065 Filed 1/4/05		
Chapter 388-805	Certification requirements for chemical dependency service providers.	Clarifying rules; updating definition and requirements for chemical dependency service providers.	Deb Cummins HRSA-DASA		WSR 07-24-004 Filed 11/26/07		
HRSA - Mental Health (MH)							
Chapter 388-865	Community mental health and involuntary treatment programs.	Revising rules to establish certification "clubhouses" that meet minimum standards. Clubhouses are community-based programs that provide rehabilitative mental health services.	Kevin Sullivan HRSA		WSR 07-17-142 Filed 8/21/07		

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Chapter 388-865	Certifying crisis stabilization units (new).	Codifying rules regarding the department's new requirement to certify crisis stabilization units that meet minimum standards.	Kevin Sullivan HRSA		WSR 07-21-078 Filed 10/16/07		
Chapter 388-865	Community mental health.	Codifying its policy on how it administers community mental health services in the event of a nonparticipating regional support network.	Kevin Sullivan HRSA	WSR 08-02-060 Filed 12/28/07	WSR 08-01-107 Filed 12/18/07		
HRSA - Medical Assistance (MA)							
Unknown sections in Title 388 WAC	Health technology clinical committee assessments.	Creating a new WAC to support the health technology assessment program established by the 2006 legislature.	Kevin Sullivan HRSA-MA		WSR 07-12-061 Filed 6/4/07		
WAC 388-406-0010	How do I apply for benefits?	Amending the rule to clarify the signature requirements on applications for medical assistance for children and pregnant women.	Mary Beth Ingram HRSA-MA		WSR 07-08-094 Filed 4/3/07		
WAC 388-408-0055 388-416-0015 388-418-0005 388-418-0025 388-450-0210 388-476-0005 388-478-0075 388-505-0210 388-505-0211 388-542-0010 388-542-0020 388-542-0050 388-542-0300	Medical assistance eligibility for children.	Authorizing medical assistance coverage for all children living in households with income at or below 250% of the federal poverty level (FPL).	Kevin Cornell HRSA-MA	WSR 07-23-057 Filed 11/16/07	WSR 07-11-098 Filed 5/16/07	WSR 07-22-038 Hearing 11/27/07	
WAC 488-450-0085	Does the department count all of my self-employment income to determine if I am eligible for benefits?	Amending the rules to remove barriers for medical assistance clients with self-employment income.	Colleen Clifford HRSA-MA	WSR 08-02-059 Filed 12/28/07	WSR 08-01-020 Filed 12/7/07		
WAC 388-466-0005 388-466-0130	Immigration and refugees.	Adding "victim of trafficking" to refugee cash assistance and refugee medical assistance eligibility, etc.	Colleen Clifford HRSA-MA		WSR 07-22-084 Filed 11/5/07		

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WAC 388-475-0300	SSI-related medical—Resources eligibility.	Updating this WAC to comply with federal rules which govern how the department considers retroactive lump sum payments from any Title II or Title XVI payment, and to clarify that these resources are now excluded for nine months, not six.	Catherine Fisher HRSA-MA		WSR 08-03-093 1/16/08		
WAC 388-478-0070 388-478-0080	Standards for payments.	Amending rules to comply with federal Medicaid standard changes that became effective January 1, 2007.	Mary Beth Ingram HRSA-MA	WSR 08-02-058 Filed 12/28/07	WSR 07-07-003 Filed 3/8/07		
WAC 388-500-0005	Medical definitions.	Updating medical definitions to make them consistent with how the terms are used throughout HRSA rules.	Jonell O. Blatt HRSA-MA		WSR 07-20-052 Filed 9/27/07		
WAC 388-501-0060 388-501-0065	Healthcare coverage.	Correcting errors made in developing the scope of covered services chart in new WAC 388-501-0060 and 388-501-0065.	Kevin Sullivan HRSA-MA		WSR 07-12-062 Filed 6/4/07		
WAC 388-501-0100	Subrogation; assignment or rights and cooperation.	<p>The department extended the effective date to December 1, 2008, for recently amended rule, WAC 388-501-0100, adopted under WSR 07-23-080 and initially scheduled to take effective [effect] December 20, 2007 (see WSR 08-01-041).</p> <p>The department will adopt new subrogation rules consistent with 42 U.S.C. §§ 1396a, 1396k, 1396p, RCW 74.09.180, 74.09.185, the decision of <i>Arkansas Department of Health and Human Services v. Ahlborn</i>, 547 U.S. 268, 126 S. Ct. 1752, 164 L. Ed. 2d 459, and will respond to concerns raised by the Washington State Trial Lawyers Association as well as other stakeholders.</p>	Wendy Boedigheimer HRSA-MA		WSR 07-04-020 Filed 1/23/07 Also: WSR 08-03-073 Filed 1/14/08	WSR 07-13-087 Hearing 7/25/07	WSR 07-23-080 and 08-01-041 Effective 12/1/08

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WAC 388-501-0135	Patient review and restriction program (PRR).	Updating the program name to patient review and coordination program; expanding program definitions; clarifying restrictions; adding requirement that PRR clients remain enrolled in managed care plans for one year; and clarifying client dispute resolution process.	Jonell O. Blatt HRSA-MA		WSR 07-21-030 Filed 10/9/07	WSR 08-01-085 Hearing 1/22/08	
WAC 388-501-0180 388-501-0182 388-501-0184 388-502-0120 388-535-1550 388-546-0800 388-546-0900 388-546-5100	Out-of-state medical care.	Updating and clarifying rules on out-of-state medical care and requirements for providers; and out-of-country medical care.	Jonell Blatt HRSA-MA		WSR 06-24-113 Filed 12/6/06	WSR 08-03-112 Hearing 2/26/08	
WAC 388-502-0160	Billing a client.	Revising the rule to clarify when a provider can and cannot bill a client for medical services.	Wendy Boedigheimer HRSA-MA		WSR 08-01-021 Filed 12/7/07		
WAC 388-502-0270	Dispute decision review by the health and recovery services administration's deputy assistant secretary.	Providing a single process for disputes reviewed by the DSHS/HRSA deputy assistant secretary. This single process should reduce complexity for providers and the department and streamline the dispute process.	Wendy Boedigheimer HRSA-MA		WSR 08-03-092 Filed 1/16/08		
WAC 388-505-0230	Family medical.	Creating a new WAC to address family-related institutional medical benefits.	Carole McRae HRSA-MA	WSR 08-03-036 Filed 1/9/08	WSR 07-12-031 Filed 5/30/07		
WAC 388-517-0500	Medicare prescription drug copayment help.	Codifying a new requirement for HRSA to pay Medicare Part D copayment cost sharing for full-benefit dual eligible Medicaid clients.	Carole McRae HRSA-MA		WSR 07-17-144 Filed 8/21/07		
WAC 388-530-1075	Tamper-resistant prescription requirements.	Amending the rule to comply with federal law which mandates the use of tamper-resistant prescriptions for all Medicaid, nonelectronic prescriptions.	Jonell O. Blatt HRSA-MA		WSR 07-22-083 Filed 11/6/07	WSR 08-03-110 Hearing 2/26/08	

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WAC 388-531-1400 388-556-0600	Psychiatric physician-related services; mental health services.	Improving access to mental health services for children who do not meet regional support network access to care standards.	Kevin Sullivan HRSA-MA		WSR 08-03-091 Filed 1/16/08		
WAC 388-531-2000	Increased payments for physician-related services for qualified trauma cases.	Clarifying, updating, and ensuring consistent policies for the trauma program.	Jonell O. Blatt HRSA-MA		WSR 08-01-083 Filed 12/17/07		
Chapter 388-532	Family planning/TAKE CHARGE program.	Revising rules to bring the program into compliance with state's federal waiver, and to help the state prevent the loss of federal funds.	Wendy Boedigheimer HRSA-MA	WSR 07-21-105 Filed 10/19/07	WSR 06-22-093 Filed 11/1/06	WSR 07-07-102 Hearing 3/19/07	
WAC 388-533-0300 388-533-0310 through 388-533-0345 388-533-0360 through 388-533-0386	Infant case management and maternity support services.	Clarifying provider qualifications, client eligibility and services reimbursed for infant case management and maternity support services.	Jonell O. Blatt HRSA-MA		WSR 07-21-106 Filed 10/19/07		
WAC 388-533-0390	Childbirth education.	Amending rules to break the information into smaller sections, clarify and update rules, and clarify policy on payment of childbirth education when delivered as a refresher course.	Wendy Boedigheimer HRSA-MA		WSR 07-03-055 Filed 1/12/07		
Chapter 388-535	Dental-related services.	Amending sections relating to access to baby and child dentistry (ABCD) and sections relating to dental-related services for clients through age twenty and clients age twenty-one and older.	Kathy Sayre HRSA-MA		WSR 07-16-110 Filed 7/31/07		
Chapter 388-535A	Orthodontic services.	Clarifying existing policy, better defining the scope of the rule, and reviewing the subchapter for other necessary changes.	Kathy Sayre HRSA-MA		WSR 07-21-021 Filed 10/8/07		
Chapter 388-537	School services.	Amending the chapter to bring the program into compliance with federal Medicaid regulations and policies.	Wendy Boedigheimer HRSA-MA		WSR 07-03-057 Filed 1/12/07		

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Chapter 388-538	Managed care delivery system.	Updating and clarifying criteria regarding the patient review and coordination; the monthly capitated premiums the department pays to managed care organizations, etc.	Kathy Sayre HRSA-MA		WSR 08-01-082 Filed 12/17/07		
WAC 388-538-063	Mandatory enrollment in managed care for GA-U clients.	Amending sections related to adding a mental health service component to GA-U medical care services managed care project.	Kathy Sayre HRSA-MA		WSR 07-16-106 Filed 7/31/07		
WAC 388-544-0475	Noncovered services, eyeglasses, and contact lenses.	Removing the language in this section and readopting the rule through the permanent rule-making process.	Wendy Boedigheimer HRSA-MA	WSR 08-03-094 Filed 1/17/08	WSR 07-22-082 Filed 11/5/07 and WSR 07-10-125 Filed 5/2/07		
WAC 388-544-1010 388-544-1100 388-544-1200 388-544-1300 388-544-1400	Hearing aid services.	Revising rules to move the hearing aid rules into chapter 388-547 WAC; creating clear section titles and clarifying text; and including digital hearing aids under covered services to align with industry standards.	Wendy Boedigheimer HRSA-MA		WSR 07-05-011 Filed 2/9/07		
Chapter 388-549	Rural health clinics.	Replacing the cost-based reimbursement methodology with the prospective payment system per the federal Benefit Improvement and Protection Act.	Wendy Boedigheimer HRSA-MA		WSR 05-16-083 Filed 8/1/05	WSR 08-01-090 Hearing 1/22/08	
WAC 388-550-1050	Hospital services definitions.	Correcting language erroneously adopted in the definition for "high cost outlier."	Kathy Sayre HRSA-MA		WSR 07-16-107 Filed 7/31/07		
Juvenile Rehabilitation Administration (JRA)							
Chapter 388-700	Juvenile rehabilitation administration—Practices and procedures.	Potential revisions due to changes in background check procedures.	David Griffith JRA		Planned for future action.		
Chapter 388-720	Collection of costs of support, treatment and confinement of juveniles under RCW 13.40.220.	Potential changes to clarifying sentencing in relation to "victim in the home" status and to update the reimbursement schedule.	Lee Mosley, Trent Phillips JRA		Planned for future action.		

WAC Chapter or WAC Number	WAC Chapter or Section Caption	Subject Matter	Program Contact Person	Current Activity (the "WSR" number is the official filing number)			
				Emergency Rule	Preproposal Rule	Proposed Rule	Permanent (Final) Rule
WAC 388-740-0010 388-740-0040 388-740-0070	Confinement.	To implement Section 1, subsection 4 (b) of SSB 5243, (chapter 203, Laws of 2007), by defining behavior which may be cause for the secretary to modify parole and return a juvenile sex offender to confinement for up to twenty-four weeks. Also to incorporate guidelines and certain existing JRA parole standards to return certain juvenile sex offenders committed to JRA or basic training camp graduates to confinement for the remainder of his or her sentence.	Kecia Rongen JRA		WSR 07-16-089 Filed 7/30/07	WSR 07-23-092 Haring 12/7/07	
Chapter 388-745	Transfer of juvenile offenders to the department of corrections (DOC).	Potential revisions due to changes in transfer procedures.	David Griffith JRA		Planned for future action.		
Chapter 388-750	Impact account—Criminal justice cost.	Review for potential updates.	Ken Moses, Trent Phillips JRA		Planned for future action.		
Office of Planning, Performance and Accountability (OPPA)							
OPPA - Research and Data Analysis							
Chapter 388-04	Protection of human research subjects.		No current rule-making activity.				
Office of Risk Management (ORM)							
ORM - Public Disclosure							
Chapter 388-01	DSHS organization and disclosure of public records.	Amending rules to reflect changes in DSHS organization structure, and to implement chapter 483, Laws of 2005.	Kristal K. Wiitala Privacy Officer		Planned for future action.		
Public Affairs (PA)							
PA - Division of Vocational Rehabilitation (DVR)							
Chapter 388-891 388-892			No current rule-making activity.				
PA - Management Services Administration							

WAC Chapter or WAC Number	WAC Chapter or Section Caption	Subject Matter	Program Contact Person	Current Activity (the "WSR" number is the official filing number)			
				Emergency Rule	Preproposal Rule	Proposed Rule	Permanent (Final) Rule
Chapter 388-02	DSHS hearing rules.	Modifying deadlines and time frames in administrative hearings, making changes to the authority of administrative law judges and review judges, and making other changes in order to comply with federal rules.	Brian Lindgren MSA Board of Appeals		WSR 07-10-112 Filed 5/2/07		
Chapter 388-06	Background checks.	Amending, consolidating and collocating existing background check rules in other WAC chapters into this chapter.	Jackie Beery MSA Background Check Central Unit	WSR 07-23-060 and 07-23-059 Filed 11/16/07	WSR 07-11-097 Filed 5/16/07		
PA - Office of Deaf and Hard of Hearing Services							
Chapter 388-818	Deaf and hard of hearing services.		No current rule-making activity.				
PA - Special Commitment Center							
Chapter 388-885	Civil commitment cost.	Updating reimbursement fee schedules for allowable activities under chapter 71.09 RCW.	Mark Davis Special Commitment Center		WSR 04-10-092 Filed 5/4/04		
WAC 388-885-005 388-885-010 388-885-015 388-885-020 388-885-025 388-885-030	Civil commitment cost reimbursement.	Updating the rules to better reflect current practices as they relate to the reimbursement of local agencies for their costs associated with the civil commitment process of sexually violent predators.	Mark Davis Special Commitment Center		WSR 08-01-022 Filed 12/7/07		

Notes and Definitions

Explanation of selected terms used in these tables:

"CR" stands for code reviser, or code reviser's office. The code reviser's office creates the "CR" forms used by DSHS and all state agencies to notify the public about rule-making actions.

A **"preproposal notice"** is a **CR-101 preproposal statement of inquiry** filed under RCW 34.05.310. This is a preliminary notice to the public that DSHS is in the planning stages to adopt, amend or repeal rules on a particular subject, and notes the laws authorizing the agency's action. The notice also lets the public know how to participate in the development of the rule, and identifies the department's contact person.

A **"proposed rule"** is a **CR-102 proposed rule-making** notice filed under RCW 34.05.320. The notice includes:

- (1) A description of the rules that DSHS proposes to adopt, amend or repeal, and the reasons supporting the proposal;
- (2) The date and location of a **public hearing** or hearings to take formal comments about the proposed rule; the dead-

line for sending written comments about the rule; and how written comments may be sent;

- (3) The laws authorizing the agency action;
- (4) The complete text of the proposed new or amended rules, or a list of rule sections being repealed;
- (5) The text of a small business economic impact statement, if applicable;
- (6) Information on how to obtain a copy of the preliminary cost-benefit analysis, if applicable; and
- (7) Agency staff that the public may contact about the proposed rules.

An **"expedited rule is a CR-105 expedited rule-making** notice, filed under RCW 34.05.353. DSHS may use this process to notify the public that it intends to adopt, amend or repeal very limited types of rules without accepting public comments or holding a public hearing. After a minimum waiting period, DSHS may adopt the rule as permanent, if no one has objected in writing. If someone does object, the department must file a CR-102 notice, hold a public hearing and accept written comments before adopting the permanent rule.

A **"permanent rule"** is a **CR-103 rule-making order**, filed under RCW 34.05.360 and 34.05.380. The CR-103 gives notice that the department is adopting final new, amended or repealed rules, completing the rule-making process. A CR-103 rule-making order includes the complete text of the new or amended rules, or a list of the WAC numbers and caption of rules being repealed, and an explanation of any changes to the rule made after the CR-102 notice. Agencies also may use a CR-103 notice form to adopt temporary *emergency* rules (see below).

An **"emergency rule"** is also a **CR-103 rule-making order**, filed under RCW 34.05.350 and 34.05.380. This is a temporary rule used to meet an urgent public health, safety or welfare need, or to meet a deadline set in a law or federal requirement. Emergency rules are effective for one hundred twenty days after the filing date. Emergency rules may be extended in certain circumstances, but they may not become permanent rules unless the agency files a preproposal notice and/or a proposed rule notice as applicable, and complies with other applicable rule-making statutes. NOTE: Emergency rules listed in these tables are only those in effect at the time this agenda was filed for publication in the Washington state register.

"Rules" as used generally in this document are the Washington Administrative Code, also known as WAC or state regulations, which are adopted by state agencies according to the Administrative Procedure Act, chapter 34.05 RCW. References to "federal rules" or "federal regulations" are U.S. government regulations, also known as the Code of Federal Regulations or C.F.R.

State **"statutes"** are laws adopted by the Washington state legislature and signed by the governor, or may be initiatives adopted by the state's voters, and are codified as the Revised Code of Washington (RCW), except that laws adopting annual state budgets are not codified. Recent state statutes may also be listed by their session law numbers, such as "chapter 140, Laws of 2008," or by a legislative bill number, such as "ESSB 6387." United States government statutes may be noted by their U.S. Code number, Public Law number, Act title, or congressional bill number.

"WSR" is the Washington state register, the legal publication of state agency rules and other notices, published twice each month by the office of code reviser. Throughout this agenda, the seven-digit number following each WSR is the code reviser's official filing number assigned at the time DSHS files a rule-making notice with the code reviser. The WSR number, plus the date and time of filing, appears on the first page of each "CR" notice as filed. To view facsimiles of DSHS rule-making notices as filed with the code reviser, visit the DSHS public rule-making web site at <http://www1.dshs.wa.gov/msa/rpau/>. All DSHS rule-making notices are available to the public.

This agenda is for information purposes only. Errors in this rule-making agenda do not alter the content or effect of the DSHS rules and rule-making notices filed with the office of the code reviser and published in the Washington state register.

If you have questions about this rule-making agenda or the DSHS rule-making process, please contact the DSHS Rules Coordinator, P.O. Box 45850, Olympia, WA 98504-

5850, by phone at (360) 664-6097. If you would like to receive DSHS rule-making notices by e-mail, please visit the DSHS rules and policies assistance unit (RPAU) web site for available electronic lists, at <http://www1.dshs.wa.gov/msa/rpau/RPAU-Listserv.htm>. If you would like to receive notices by postal mail, please contact Jennisha Johnson, RPAU Rules Consultant, at (360) 664-6094, or by e-mail at johnsjl4@dshs.wa.gov.

Stephanie Schiller
Rules Coordinator

WSR 08-06-002
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF LICENSING
(Architect Licensing Board)
[Filed February 20, 2008, 2:48 p.m.]

The architect licensing board 2008 meeting dates, times and locations are as follows:

Date	Location
January 11, 2008	University of Washington 3949 15th Avenue N.E. Gould Hall, Room 102 Seattle, WA
March 14, 2008	Department of Licensing 2nd Floor, Conference Room 2209 405 Black Lake Boulevard Olympia, WA
May 9, 2008	Location TBD Seattle, Washington
July 18, 2008	Red Lion Hotel Vancouver at the Quay 100 Columbia Street Vancouver, WA
September 26, 2008	Washington State University Carpenter Hall Conference Room Pullman, Washington
November 14, 2008	Location TBD Tacoma, Washington

All meetings begin at 9:00 a.m.

If you need additional information, contact Elizabeth Stancil at (360) 664-6597 or e-mail estancil@dol.wa.gov.

WSR 08-06-003
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF LICENSING
(Landscape Architect Licensing Board)
[Filed February 20, 2008, 2:49 p.m.]

The landscape architect licensing board 2008 meeting dates, times and locations are as follows:

Date:	Location:
January 25, 2008	Conference Call Department of Licensing 405 Black Lake Boulevard Olympia, WA
April 10, 2008	University of Washington 3949 15th Avenue N.E. Gould Hall, Room 102 Seattle, WA
August 21, 2008	Conference Call Department of Licensing 405 Black Lake Boulevard Olympia, WA
October 16, 2008	Washington State University Johnson Hall, Room 151 Pullman, Washington

All meetings begin at 9:30 a.m.

If you need additional information, contact Elizabeth Stancil at (360) 664-6597 or e-mail estancil@dol.wa.gov.

WSR 08-06-005
OFFICE OF THE GOVERNOR

[Filed February 21, 2008, 8:32 a.m.]

NOTICE OF APPEAL
RCW 34.05.330(3)

Pursuant to RCW 34.05.330(3), you are hereby notified for publication in the Washington State Register that:

On February 4, 2008, the Governor's Office received an appeal from Mr. James L. Brummett relating to the Washington Lottery Commission's denial of a petition to repeal or amend WAC RCW 67.70.040(1).

DATE: February 19, 2008

Richard E. Mitchell
General Counsel to the Governor

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.

WSR 08-06-006
NOTICE OF PUBLIC MEETINGS
CITIZEN COMMISSION FOR PERFORMANCE
MEASUREMENT OF TAX PREFERENCES

[Filed February 21, 2008, 8:33 a.m.]

The February meeting of the citizen commission for performance measurement of tax preferences was cancelled. The next commission meeting is scheduled for Friday, April 18, in Olympia, Washington.

Should you have questions, please contact Lisa Hennessy at (360) 786-5288.

WSR 08-06-017
NOTICE OF PUBLIC MEETINGS
CASCADIA COMMUNITY COLLEGE

[Filed February 21, 2008, 4:08 p.m.]

Please be advised that the Cascadia Community College board of trustees is cancelling their regularly scheduled meeting on April 16, 2008.

The Cascadia Community College board of trustees have rescheduled their regular meeting in April to Wednesday, April 9, 2008. The meeting will be held at Cascadia Community College, 18345 Campus Way N.E., Bothell, WA 98011.

WSR 08-06-020
NOTICE OF PUBLIC MEETINGS
WASHINGTON STATE
REHABILITATION COUNCIL

[Filed February 22, 2008, 9:14 a.m.]

Do you want to improve employment services for people with disabilities in Washington state?

Members of the Washington state rehabilitation council invite you to a Community Forum, Thursday, April 17, 2008, 5:30 p.m. to 7:30 p.m., Red Lion Inn, 1225 North Wenatchee Avenue, Wenatchee, WA 98801.

American Sign Language, Real-Time-Captioning and Spanish Interpretation provided.

Light refreshments provided.

If you use public transit call Link Transit to plan your trip, (509) 662-1155.

The Washington state rehabilitation council is made up of sixteen volunteer governor-appointed members. We use your feedback to inform policy recommendations we make to the division of vocational rehabilitation.

To request more information, reasonable accommodation or other spoken language interpretation contact Amy Rossiter at rossiae@dshs.wa.gov, or 1-866-252-2939

This event will be audio recorded.

Everyone is welcome. Nobody is required to attend. Attendance will not impact eligibility determination or access to DVR services.

WSR 08-06-022
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
FISH AND WILDLIFE

(Fish and Wildlife Commission)

[Filed February 22, 2008, 2:16 p.m.]

At its February 15, 2008, commission conference call meeting, the fish and wildlife commission amended its 2008 meeting calendar for the month of December. Meeting locations for May and June have also been updated, and special meetings are included in the new list.

Fish and Wildlife Commission

2008 Meeting Calendar - REVISED* February 15, 2008

<u>DATE</u>	<u>FUNCTION</u>	<u>LOCATION</u>
January 4	Conference Call	Olympia
January 10	Joint meeting with Oregon's Commission	Vancouver, Washington
January 11-12	Meeting	Vancouver, Washington
*January 18 25	Conference Call	Olympia
February 1-2	Meeting	Olympia
*February 8	Special meeting, via conference call	Olympia
*February 14	Special meeting, via conference call	Olympia
February 15	Conference Call	Olympia
March 7-8	Meeting	Olympia
March 21	Conference Call	Olympia
April 4	Conference Call	Olympia
April 11-12	Meeting	Tri-Cities
April 18	Conference Call	Olympia
May 2-3	Meeting	Colville
May 16	Conference Call	Olympia
June 6-7	Meeting	Ocean Shores
June 20	Conference Call	Olympia
July 18-19	Meeting	Spokane
August 8-9	Meeting	Bellingham
August 15	Conference Call	Olympia
September 5-6	Meeting	Issaquah
September 19	Conference Call	Olympia
October 3-4	Meeting	Ellensburg
October 17	Conference Call	Olympia
November 7-8	Meeting	Leavenworth
November 21	Conference Call	Olympia
*December 5	Conference Call	Olympia
*December 12-13	Meeting	Olympia
December 19	Conference Call	Olympia

Additional meetings and conference calls may be scheduled on an as-needed basis. Changes to the schedule and agendas will be posted on the web page at <http://www.wdfw.wa.gov/com/meetings.htm>.

For more information, please contact the commission office at (360) 902-2267 or visit the commission web page at www.wdfw.wa.gov/com/comintro.htm for further information.

Washington fish and wildlife commission meetings are open to the public and conducted at barrier-free sites. All meetings are recorded, except during executive sessions. Contact Susan Yeager in the commission office at (360) 902-2267 if you need special assistance.

WSR 08-06-027

**NOTICE OF PUBLIC MEETINGS
WASHINGTON SCHOOL FOR THE DEAF**

[Filed February 25, 2008, 9:42 a.m.]

The Washington School for the Deaf board of trustees will hold two special meetings to provide stakeholders with an opportunity to meet candidates in the superintendent search, and provide feedback to the board of trustees before it makes its recommendations to the governor for final selection.

The first special meeting will be held on Wednesday, March 12, 2008, 7:00 - 9:30 p.m. at Puget Sound ESD, 800 Oakesdale Avenue S.W., Renton, WA 98507-5221. The Wednesday special meeting will also be simultaneously accessible by two-way video conference outside of the Seattle area at any of the following remote site locations. A trustee from the district where the remote site is located will be present to serve as moderator. ASL interpretive services will be provided at all locations.

Remote locations (Wednesday only):

- ESD 101, 4202 South Regal, Spokane, WA 99223-7764.
- ESD 171, 430 Old Station Road, Wenatchee, WA 98801.
- Central Kitsap High School, 3700 N.W. Anderson Hill Road, Silverdale, WA 98383-0008.
- ESD 113, 601 McPhee Road S.W., Olympia, WA 98502-5080.
- ESD 105, 33 South 2nd Avenue, Yakima, WA 98902-3486.
- ESD 123, 3918 West Court Street, Pasco, WA 99301.
- Bellingham School District Office, 1306 Dupont Street, Bellingham, WA 98225.

On Thursday, March 13, 2008, the board of trustees will hold a second special meeting at the School for the Deaf, 611 Grand Boulevard, Vancouver, WA 98661.

WSR 08-06-031

**NOTICE OF PUBLIC MEETINGS
HEALTH CARE AUTHORITY
(Health Insurance Partnership Board)**

[Filed February 26, 2008, 10:01 a.m.]

**Amended 2008 Health Insurance Partnership (HIP)
Board Meeting Schedule**

The HIP board meetings will be held at the Hilton Seattle Airport & Conference Center, 17620 International Boulevard, Seattle, WA, unless otherwise noted. The meetings begin at 9:00 a.m. and end at 4:00 p.m.

March 6, 2008

April 3, 2008

Doubletree Hotel Seattle Airport
18740 International Boulevard
Seattle, WA

May 1, 2008

June 5, 2008 Seattle Marriott Airport Hotel
 3201 South 176th Street
 Seattle, WA

July 10, 2008

August 7, 2008

September 4, 2008

If you are a person with a disability and need a special accommodation, please contact Shelley Buresh, (360) 923-2747.

WSR 08-06-034
NOTICE OF PUBLIC MEETINGS
RECREATION AND CONSERVATION
OFFICE

(Recreation and Conservation Funding Board)
 [Filed February 26, 2008, 5:42 p.m.]

The recreation and conservation funding board (RCFB) will meet Thursday, March 27 and Friday, March 28, at the Natural Resources Building Room #172 in Olympia, Washington.

The focus of this regular business meeting will be youth athletic fund (YAF) and nonhighway and off-road vehicle activities program (NOVA) noise enforcement grant awards. The board will also discuss and make policy decisions on state parks project ranking, mitigation banking, aquatic lands enhancement account (ALEA), national recreational trails program (NRTP) excess funds, boating advisory committee composition, and NOVA allocation. The board will also hear updates on legislation, the biodiversity council strategy, the invasive species council, the strategic plan, and the state comprehensive outdoor recreation planning (SCORP) document.

If you plan to participate or have materials for board review, please submit information to the recreation and conservation office (RCO) no later than March 10, 2008. This will allow for distribution to board members in a timely fashion.

RCFB public meetings are held in locations accessible to people with disabilities. Arrangements for individuals with hearing or visual impairments can be provided by contacting RCO by March 12, at (360) 902-3085 or TDD (360) 902-1996.

WSR 08-06-037
EXECUTIVE ORDER
OFFICE OF THE GOVERNOR

[February 20, 2008]

EXECUTIVE ORDER 08-01
WASHINGTON'S NEW AMERICANS POLICY COUNCIL

WHEREAS, historically and currently, the United States has flourished as a rich and diverse nation due to embracing immigrants from all over the world who moved to our country to experience the freedoms and rights of a democratic

society, better the lives of their families, contribute to the economy, and become naturalized citizens;

WHEREAS, the state of Washington continues to benefit and prosper from the cultural diversity, work ethic, and economic contribution that a diverse population has contributed to our state;

WHEREAS, according to the U.S. census bureau, 14 percent of the families in Washington speak a world language other than English;

WHEREAS, Washington has 135,000 legal permanent residents currently eligible to be naturalized as U.S. citizens;

WHEREAS, as part of the global economy, Washington benefits from the talents, contributions, resilience, hard work, entrepreneurialism, and skills of people seeking to become New Americans;

WHEREAS, it is crucial to Washington state's vitality and well-being that Washington is known as and is a state that cherishes, welcomes and sustains its diverse population and the economic growth resulting from that diversity;

NOW THEREFORE, I, Christine O. Gregoire, Governor of the state of Washington, order as follows:

1. The Washington's New Americans Policy Council is established (Council). The Council shall make recommendations to the Governor on topics including but not limited to:
 - a) Strategies to help legal permanent residents become naturalized;
 - b) Acquisition of English language skills integral to the process of becoming citizens;
 - c) Ways to recognize or transfer the skills, certifications and professional credentials people earn in other countries into Washington's economy;
 - d) Strategies that are needed to support the success for naturalization, English language acquisition and recognition or transference of certifications and professional credentials;
 - e) Facilitating public-private partnerships for the integration of people seeking to become New Americans into the very fabric of our state, thus creating a more vibrant, prosperous and vital society.
2. The Governor shall appoint 12 to 15 members to the Council. The Governor shall appoint the Council's Chairperson. Council members, who will serve at the Governor's pleasure, shall include representatives from the state agencies, the Refugees' Advisory Council business and labor, and community and nonprofit organizations.
3. The Department of Social and Health Services shall provide administrative support to the Council.
4. State agencies shall work in good faith to provide information and assistance, as needed, to the Council in fulfilling its duties.
5. The Council will make initial recommendations to the Governor no later than December 1, 2008. The Council may make any additional interim reports as needed. The Council shall deliver a comprehensive final report

including recommendations about the continuation of and tasks for the Council to the Governor no later than October 1, 2009.

This Executive Order will take effect immediately.

Signed and sealed with the official seal of the state of Washington, on this 20th day of February 2008, at Olympia, Washington.

By:

Christine O. Gregoire
Governor

BY THE GOVERNOR:

Sam Reed
Secretary of State

WSR 08-06-038
NOTICE OF PUBLIC MEETINGS
CLOVER PARK
TECHNICAL COLLEGE
[Filed February 27, 2008, 9:37 a.m.]

In compliance with RCW 42.30.075, please publish a change in a regular board of trustees meeting. The Clover Park Technical College (CPTC) regular board of trustees meeting scheduled for June 17, 2008, at 4 p.m. is now scheduled for **June 13, 2008, at 4 p.m.** in the boardroom, located in Building 15, on the CPTC campus at 4500 Steilacoom Boulevard S.W., Lakewood, WA 98499-4098.

WSR 08-06-042
INTERPRETIVE AND POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
[Filed February 27, 2008, 1:49 p.m.]

Notice of Interpretive or Policy Statement

In accordance with RCW 34.05.230(12), following is a list of policy and interpretive statements issued by the department of social and health services.

Economic Services Administration
Division of Child Support

Document Title: Administrative Policy 5.04 DCS Employee Recognition Awards.

Subject: DCS employee recognition awards.

Effective Date: February 26, 2008.

Document Description: This policy explains the division of child support (DCS) employee recognition awards program.

To receive a copy of the interpretive or policy statements, contact Jeff Kildahl, Division of Child Support, P.O. Box 11520, Tacoma, WA 98411-5520, phone (360) 664-

5278, TDD/TTY (360) 753-9122, fax (360) 586-3274, e-mail JKildahl@dshs.wa.gov, web site <http://www1.dshs.wa.gov/dcs/>.

WSR 08-06-043
NOTICE OF PUBLIC MEETINGS
COMMISSION ON
HISPANIC AFFAIRS
[Filed February 27, 2008, 2:09 p.m.]

The location for our August 22-23, 2008, public meeting and study session in Mt. Vernon has been revised as of today. The new location is Everett, Washington.

Please don't hesitate to call Alicia Luna at (360) 725-5661 if you have any questions/concerns on this change.

WSR 08-06-046
NOTICE OF PUBLIC MEETINGS
LEGISLATIVE ETHICS BOARD
[Filed February 28, 2008, 12:19 p.m.]

The meeting date for May for the ethics board has been changed to the 14th. The time and place remain the same - 12 p.m. at the SeaTac Doubletree Hotel.

WSR 08-06-047
NOTICE OF PUBLIC MEETINGS
CONVENTION AND TRADE CENTER
[Filed February 28, 2008, 12:19 p.m.]

A special meeting of the Washington state convention and trade center board of directors will be held on **Tuesday, March 4, 2008, at 1:00 p.m.** in the Administrative Boardroom, Level 5 Administrative Offices of the Convention Center, 800 Convention Place, Seattle, WA 98101.

Agenda
Amended 2/26/08

1. Request for the board to authorize the chairman or designated person to enter into an Agreement for Preconstruction Services for 800 Pike Conversion Project with the general contractor selected to provide general contractor/construction manager (GC/CM) services for the project, as recommended by the design committee of the board of directors.

2. Request for the board to authorize the chairman or designated person to enter into a Contract for 800 Pike Project Management Services with the project management firm selected through a request for qualifications (RFQ) process, as recommended by the design committee of the board of directors.

If you have any questions regarding this meeting, please call (206) 694-5000.

WSR 08-06-048
NOTICE OF PUBLIC MEETINGS
WHATCOM COMMUNITY COLLEGE

[Filed February 28, 2008, 12:19 p.m.]

The board of trustees of Whatcom Community College, District Number Twenty-One, will hold its regularly scheduled March board meeting on Monday, March 17, 2008, at 2:00 p.m. on the campus of Whatcom Community College in the Laidlaw Building Boardroom #143, 237 West Kellogg Road, Bellingham, WA 98226. The board of trustees meeting is open to the public.

WSR 08-06-054
NOTICE OF PUBLIC MEETINGS
OFFICE OF
CIVIL LEGAL AID
 (Civil Legal Aid Oversight Committee)

[Filed February 29, 2008, 10:13 a.m.]

The civil legal aid oversight committee established by section 4, chapter 105, Laws of 2005, will meet and conduct business on Friday, March 28, 2008.

- What: Quarterly Meeting of the Civil Legal Aid Oversight Committee
- When: Friday, March 28, 2008
- Time: 9:30 a.m. - 3:00 p.m.
- Where: Radisson Gateway Hotel
 18118 Pacific Highway South
 SeaTac, WA 98188

The agenda will include action on oversight committee business matters, receipt of the quarterly report from the director of the office of civil legal aid and other matters

Agenda

*Denotes an expected action item

within the charge of the oversight committee. A detailed agenda will be available at the meeting.

Accommodations: The civil legal aid oversight committee fully complies with applicable laws ensuring access for persons with disabilities. Upon request, the civil legal aid oversight committee will make reasonable accommodation to ensure full accessibility and meaningful opportunity for interested individuals to participate in the meeting, regardless of physical, mental, cognitive or other disabilities. Requests for translation services or assistive technology should be submitted at least forty-eight hours prior to the meeting in order to allow the oversight committee to accommodate.

Contact: For further information about this meeting and/or to request reasonable accommodation, please contact James A. Bamberger, Director, Office of Civil Legal Aid, 1112 Quince Street S.E., Mailstop 41183, Olympia, WA 98504, (360) 704-4135, jim.bamberger@ocla.wa.gov.

WSR 08-06-055
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
LABOR AND INDUSTRIES
 (Industrial Insurance Medical Advisory Committee)

[Filed February 29, 2008, 1:58 p.m.]

**Industrial Insurance Medical Advisory
 Committee Meeting**

- Date: April 10, 2008
- Time: 1:00 p.m. to 5:00 p.m.
- Location: Washington Mutual Leadership Center at Cedarbrook
 Simply Cedar Conference Room
 18525 36th Avenue South
 SeaTac, WA 98188

Time and Lead	Topic	Desired Outcome
1:00 p.m. - 1:15 p.m. Gary Franklin, MD, MPH	Welcome and introductions Review day's agenda	Get settled, oriented, and ready to do the day's business.
*1:15 p.m. - 1:45 p.m. Josh Morse, BS	Electrodiagnostic studies (EDS) policy presentation	Review EDS laws, rules, and draft policy; clarify recommendation options.
*1:45 p.m. - 2:00 p.m. Josh Morse, BS	Public comment on EDS options	Take public comment on draft policy.
*2:00 p.m. - 2:15 p.m. Josh Morse, BS	Final discussion and vote on EDS policy	IIMAC members vote on what to recommend for EDS policy.
2:15 p.m. - 2:45 p.m. Simone Javaher, BSN, MPA	Prioritization of practice guidelines	Provide information about factors to consider when prioritizing guideline selection.
2:45 p.m. - 3:00 p.m.	Break	
*3:00 p.m. - 3:45 p.m. Gary Franklin, MD, MPH	Committee chair and vice-chair Review of chair/vice-chair duties Nominations Nominee comments Election of chair/vice-chair by ballot	Allow opportunity for interested persons to come forward, share their ideas and vision, and complete nominations. Elect chair and vice-chair.

Time and Lead	Topic	Desired Outcome
3:45 p.m. - 4:00 p.m. Gary Franklin, MD, MPH	Update on health technology clinical committee and lumbar fusion guidelines	Share information with committee members.
*4:00 p.m. - 4:45 p.m. Gary Franklin, MD, MPH	Future topics and subcommittee formation (ad hoc or standing) for guideline development (meet between quarterly IIMAC meetings)	Committee chair, DLI, and committee members decide approach to subcommittees including leadership.
4:45 p.m. - 5:00 p.m.	Wrap-up and next meeting preview	Leave with next steps in mind.

Meeting Materials (to be e-mailed no later than April 1st)

Slide handouts for guideline prioritization	Summary of HTCC fusion/discography outcome
Slide handouts for EDS options	
Final IIMAC bylaws	
Chair and vice-chair ballots	

WSR 08-06-056
NOTICE OF PUBLIC MEETINGS
FREIGHT MOBILITY
STRATEGIC INVESTMENT BOARD

[Filed February 29, 2008, 2:26 p.m.]

2008 Meeting Schedule

January 25	Olympia
March 21	SeaTac
May 9	Walla Walla
July 17 and 18	Suquamish
September 19	TBD
November 21	SeaTac

WSR 08-06-059
PUBLIC RECORDS OFFICER
BOARD FOR VOLUNTEER
FIREFIGHTERS AND RESERVE OFFICERS

[Filed March 3, 2008, 8:44 a.m.]

Please be advised that, pursuant to RCW 41.56.580, listed below is the contact information for the state board for volunteer firefighters and reserve officers' public records officer: Brigette K. Smith, Executive Secretary, Board for Volunteer Firefighters and Reserve Officers, mailing P.O. Box 114, Olympia, WA 98504, physical 605 S.E. 11th Avenue, Suite #112, Olympia, WA 98501, phone (360) 753-7318, fax (360) 586-1987, e-mail brigetted@bvff.wa.gov.

Brigette K. Smith
 Executive Secretary

WSR 08-06-060
NOTICE OF PUBLIC MEETINGS
MINT COMMISSION

[Filed March 3, 2008, 8:45 a.m.]

As required by the Open Public Meetings Act, following is **revised** list of regular meetings of the Washington mint commission to be held for the calendar year of 2008:

February 19, 2008	Noon Commission Meeting	Tri-Cities, Washington
April 1, 2008	7:00 p.m. Commission Meeting	Tri-Cities, Washington
(Meeting date was originally sent as April 2, 2008. The correct date of this meeting is April 1, 2008.)		
June 3, 2008	Noon Commission Meeting	Prosser, Washington Mint Field Day to follow
September 9, 2008	7:00 p.m. Commission Meeting	Tri-Cities, Washington
November 4, 2008	Researchers meeting at the Prosser research station followed by noon commission	Prosser, Washington

If you have any questions, please do not hesitate to contact Rod Christensen at (509) 585-5460.

WSR 08-06-062
NOTICE OF PUBLIC MEETINGS
EDMONDS COMMUNITY COLLEGE

[Filed March 3, 2008, 9:12 a.m.]

Please be advised of the following revisions to the 2008 meeting schedule of the Edmonds Community College board of trustees.

The March 13 regular meeting has been rescheduled to begin at 4:00 p.m. in Snohomish Hall, Room 304A, Edmonds Community College.

A special meeting has been scheduled for March 13, at 5:30 - 7:00 p.m. in Snohomish Hall, Room 304A, Edmonds Community College. This will be a joint board meeting with the Edmonds School District board of directors.

If you have any questions, please feel free to contact Patty Michajla at (425) 640-1516.

WSR 08-06-064

**NOTICE OF PUBLIC MEETINGS
BELLINGHAM TECHNICAL COLLEGE**

[Filed March 3, 2008, 11:09 a.m.]

AMENDED NOTICE

The regularly scheduled meeting of the board of trustees of Bellingham Technical College scheduled for Thursday, March 20, 2008, has been cancelled and rescheduled for Thursday, March 27, 2008, 8:00 - 11:00 a.m., in the college services board room on the Bellingham Technical College campus. *The board of trustees will have a study session from 8:00 - 9:00 a.m. to discuss the proposed revised 07-08 operating budget; the regular meeting will begin at approximately 9:00 a.m.* Call 752-8334 for information.

WSR 08-06-065

**DEPARTMENT OF
LABOR AND INDUSTRIES**

[Filed March 3, 2008, 11:51 a.m.]

Prevailing Rate of Wage

As per RCW 39.12.015, 39.12.020 and WAC 296-127-011 and as was published on the internet on February 1, 2008, the industrial statistician has determined the statewide prevailing rates of wage. These prevailing rates of wage are effective for public works projects bid on or after March 2, 2008.

Every contractor and subcontractor on every public works project must file a statement of intent to pay prevailing wages and an affidavit of wages paid. Both forms must be filed on every project. The filing of the affidavit of wages paid does not set aside the requirement to also file the statement of intent to pay prevailing wages. The department may fine contractors \$500 for failure to file these forms.

If you have any questions or require additional information please feel free to contact David J. Soma at (360) 902-5310 or SOMD235@LNI.WA.GOV.

WSR 08-06-072

**PUBLIC RECORDS OFFICER
RECREATION AND CONSERVATION
OFFICE**

[Filed March 4, 2008, 9:44 a.m.]

Per section 3, chapter 483, Laws of 2005, this letter is to designate Rebecca Connolly as the public records and disclosure officer for the recreation and conservation office (agency number 0467). Rebecca's contact information is Recreation and Conservation Office, P.O. Box 40917, Olympia, WA 98504-0917, phone (360) 902-2637, fax (360) 902-3026, e-mail PDandR@rco.wa.gov.

Kaleen Cottingham
Director

WSR 08-06-076

**INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**

[Filed March 4, 2008, 1:54 p.m.]

Notice of Interpretive or Policy Statement

In accordance with RCW 34.05.230(12), following is a list of policy and interpretive statements issued by the department of social and health services.

**Economic Services Administration
Division of Child Support**

Document Title: Policy Clarification Memo 08-001 - Notifying Subjects of Subpoenas.

Subject: Notifying subjects of subpoenas.

Effective Date: February 27, 2008.

Document Description: This policy clarification memo explains a new DCS administrative subpoena process.

To receive a copy of the interpretive or policy statements, contact Jeff Kildahl, Division of Child Support, P.O. Box 11520, Tacoma, WA 98411-5520, phone (360) 664-5278, TDD/TTY (360) 753-9122, fax (360) 586-3274, e-mail JKildahl@dshs.wa.gov, web site <http://www1.dshs.wa.gov/dcs/>.

WSR 08-06-080

DEPARTMENT OF ECOLOGY

[Filed March 4, 2008, 3:45 p.m.]

Air Quality Program Amends a General Order of Approval

In 2005, ecology created the legal framework for general orders of approval. Ecology's air quality program is now amending the automobile body repair and refinishing shops general order. The amended general order incorporates the new federal MACT Standard (Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources (40 C.F.R. Part 63 Subpart HHHHHH)) as it applies to automobile body repair and refinishing shops. If a business wishes to install the equipment needed to run a body repair and refinishing shop, an application can be made for coverage under the general order, or the business can choose to go through the older more site specific notice of construction order of approval. The choice is made by the applicant.

Applicability Criteria for this General Order of Approval

Criterion	Limitation
Location in Washington	Any jurisdiction within which new source review requirements are regulated by the department of ecology's air quality program. At the time of issuance of this general order, this includes: Adams, Asotin, Chelan, Columbia, Douglas,

Criterion	Limitation
	Ferry, Franklin, Garfield, Grant, Kittitas, Klickitat, Lincoln, Okanogan, Pend Oreille, San Juan, Stevens, Walla Walla, and Whitman counties.
Facility description	Repair and refinish the passenger and cargo enclosure (i.e., the "body") sections of automobiles, trucks, and other mobile equipment.
	The spray booth is not part of a new major stationary source or major modification to a major stationary source (i.e., the spray booth is not subject to review under the prevention of significant deterioration program). The addition of the spray booth to an existing source does not make the source subject to the air operating permit (AOP) program or require a modification in an existing AOP permit.
Size	Shall not use more than 950 gallons in any consecutive twelve months of refinishing materials of all types. This includes reducers and cleaning solvents.
Design	Spray booth with at least an exhaust fan, filter (arrestor), and unrestricted exhaust stack. Exhaust fan, filter (arrestor), and exhaust stack sizes shall comply with the relationship described in this order.
	If the spray booth or booths are combustion-heated independently from general shop heating: <ol style="list-style-type: none"> (1) Only natural gas, propane, liquefied petroleum gas (LPG), or on-road quality diesel fuel may be used. (2) The total heating capacity of the related combustion device(s) must be smaller than the following: <ol style="list-style-type: none"> (a) four million Btu/hr for natural gas, propane, and LPG; and (b) 1,000,000 Btu/hr for on-road quality diesel.
Refinishing materials	Low-VOC: Compliant with 40 C.F.R. Part 59, Subpart B. None may contain cadmium.
Equipment	Spray gun transfer efficiency rating not less than typical of high volume, low pressure (HVLP) equipment.
	Spray gun cleanup in closed system.

The draft order and fact sheet are available for review and public comment from March 19, 2008, to April 18, 2008. The public is encouraged to give written comments during the public comment period.

A general order is used instead of a series of individual notice of construction orders of approval when the permitted

facilities are similar. Individual facilities that receive coverage under the general order are required to comply with the terms and conditions of the order.

This order will be available to applicants in the counties that are regulated directly by ecology's air quality program. These counties are: San Juan, Okanogan, Chelan, Douglas, Ferry, Stevens, Pend Oreille, Kittitas, Walla Walla, Columbia, Garfield, Asotin, Grant, Lincoln, Adams, Whitman, Franklin, and Klickitat counties. Applicants in other areas are regulated by a local air agency and are subject to their notice of construction rules and procedures. This order is also available to those sources of statewide importance that are directly regulated by ecology.

Requesting Copies of the Order: You can request copies of the proposed order and fact sheet by contacting Tom Todd, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600, phone (360) 407-7528, fax (360) 407-7534, e-mail ttod461@ecy.wa.gov.

The proposed order and fact sheet are also available online at http://www.ecy.wa.gov/programs/air/AOP_Permits/Boiler/GeneralOrders.htm under the auto body shops heading.

Submitting Written Comments: Ecology will accept written comments on the draft automobile body repair and refinishing shops general order and fact sheet. Comments should reference specific text when possible. Comments may address the following:

- Technical issues,
- Accuracy and completeness of information,
- The scope of facilities proposed for coverage,
- Adequacy of environmental protection and order conditions, or
- Any other concern that would result from issuance of the revised order.

Please submit written comments to Tom Todd, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600, phone (360) 407-7528, fax (360) 407-7534, e-mail ttod461@ecy.wa.gov.

Written, e-mailed and faxed comments must be **received** no later than 5 p.m., September 1, 2007 [2008].

Issuing the Final Automobile Body Repair and Refinishing Shops General Order: Ecology will issue the final order after it considers all public comments. Ecology expects to issue the general order soon after the end of the public comment period. It will be effective thirty days later. When ecology issues the order, it will send a response to everyone who commented.

Who would be covered by the order? The order covers all new automobile body repair and refinishing shops who propose to emit air pollutants to [the] environment. The choice of whether to be covered by a more traditional individual notice of approval or this general order remains with the applicant.

If you have special accommodation needs or require a copy of the order and fact sheet in an alternative format, please contact Tami Dahlgren, (360) 407-6830. If you are a person with a speech or hearing impairment, call 711 or 800-833-6388 for TTY.

WSR 08-06-081

DEPARTMENT OF ECOLOGY

[Filed March 4, 2008, 3:46 p.m.]

PUBLIC NOTICE

Public Workshops and Hearings

to Accept Comments on the

Draft Fishery Resource Management Individual Permit

The Draft Fishery Resource Management Individual Permit: The department of ecology (ecology) is proposing to issue an individual permit to the Washington state department of fish and wildlife (WDFW) to cover fish management in surface waters of the state. Ecology is requesting public comment on the draft permit and fact sheet. This permit, once issued, revokes and replaces the current fishery resource management individual permit (WA0041009) for the activities the WDFW uses to manage fish populations in surface waters of the state. The revocation and replacement is effective beginning on the effective date of this permit. This individual permit covers the discharge of two fish eradication chemicals (piscicides), rotenone and antimycin, to waters of the state for the control of undesirable fish species. Under the Washington State Water Pollution Control Act, the discharge of pollutants which may alter the biological or chemical characteristics of a water body requires a permit. The proposed permit addresses these legal requirements and regulates the discharge of pollutants to protect surface water quality in Washington state.

Requesting Copies of the Draft Permit: Beginning March 19, 2008, you can request copies of the draft permit and fact sheet or download copies from the web site listed below:

Web site: http://www.ecy.wa.gov/programs/wq/pesticides/final_pesticide_permits/fish/fish_index.html.

Ecology Contact: Kelly McLain, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600, phone (360) 407-6938, fax (360) 407-6426, e-mail kelm461@ecy.wa.gov.

Submitting Written and Oral Comments: Ecology will accept written and oral comments on the draft fishery resource management individual NPDES permit and fact sheet until April 25, 2008. Ecology prefers comments to be submitted by e-mail. Comments should reference specific text when possible.

Submit written comments to Kelly McLain, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600, e-mail kelm461@ecy.wa.gov.

If you submit written comments, you must ensure that they are postmarked no later than **5 p.m., April 25, 2008**. You must send e-mail comments before **5 p.m., April 25, 2008**. You may provide oral comments by testifying at either of the two public hearings.

Public Workshops/Hearings: The public workshops and hearings on the draft permit are scheduled to be held in Olympia and Moses Lake, Washington. At each workshop ecology will explain the permit and answer questions in order to facilitate testimony during the hearing. The purpose of each hearing is to provide an opportunity for people to give formal oral testimony and comments on the proposed permit.

Public hearings begin immediately after the workshops and conclude as soon as public testimony is completed.

April 21, 2008, 2:30 p.m., Natural Resources Building, Room 172, 1111 Washington Street S.E., Olympia, (360) 902-2200.

April 22, 2008, 1 p.m., Grant County Advanced Technologies Education Center, Building 1800, Room 1837, Hardin Room, Big Bend Community College, 7611 Bolling Street N.E., Moses Lake, (509) 793-2374.

Issuing the Fishery Resource Management Individual Permit: After ecology receives and considers all public comments it will make necessary changes and issue the permit. If public comments cause a substantial change in the permit conditions from the original draft permit, another public notice of draft and comment period may ensue.

Ecology expects to issue the permit on or about June 18, 2008, if there is no substantial change to the draft. The permit will be effective thirty days later. When issued, ecology will send a copy of the notice of issuance and ecology's responses to the comments to all persons who submitted written comment or gave public testimony.

WSR 08-06-084

NOTICE OF PUBLIC MEETINGS

DEPARTMENT OF LICENSING

(Driver Training Schools Advisory Committee)

[Filed March 5, 2008, 8:51 a.m.]

The next four meetings of the driver training schools advisory committee are scheduled as follows:

Thursday, March 6, 2008 Highways-Licenses Building
9:00 a.m. - 3:00 p.m. Room 413
1125 Washington Street S.E.
Olympia, WA 98501

Thursday, April 10, 2008 Highways-Licenses Building
9:00 a.m. - 3:00 p.m. Room 413
1125 Washington Street S.E.
Olympia, WA 98501

Thursday, May 8, 2008 Highways-Licenses Building
9:00 a.m. - 3:00 p.m. Room 413
1125 Washington Street S.E.
Olympia, WA 98501

Thursday, June 12, 2008 Department of Natural Resources
9:00 a.m. - 3:00 p.m. Room 172
1111 Washington Street S.E.
Olympia, WA 98501

If you have any questions regarding these meetings you can reach Tana Cochran at (360) 902-0110 or via e-mail to tse@dol.wa.gov.

WSR 08-06-085
OFFICE OF THE GOVERNOR

[Filed March 5, 2008, 8:52 a.m.]

AMENDED NOTICE OF APPEAL
RCW 34.05.330(3)

Pursuant to RCW 34.05.330(3), you are hereby notified for publication in the Washington State Register that:

On January 26, 2008, the Governor's Office received an appeal from Mr. John Worthington relating to the Department of Health Pharmacy Board's denial of a petition to repeal or amend RCW 69.50. The Governor denied the Petition on February 12, 2008. In our previous notice dated February 12, 2008, we cited RCW 69.51A, the correct cite is RCW 69.50.

DATE: March 3, 2008

Richard E. Mitchell
General Counsel to the Governor

WSR 08-06-104
NOTICE OF PUBLIC MEETINGS
OFFICE OF
PUBLIC DEFENSE

[Filed March 5, 2008, 11:09 a.m.]

Washington state office of public defense's (OPD) March 20, 2008, meeting date has been changed to April 10, 2008.

The meeting will be held from 9:30 - 12:00 at the Radisson Hotel Gateway Seattle-Tacoma Airport, 18118 International Boulevard (formerly Prime Hotel), Seattle, WA, (206) 244-6666.