

WSR 08-19-007
PREPROPOSAL STATEMENT OF INQUIRY
SUPERINTENDENT OF
PUBLIC INSTRUCTION

[Filed September 4, 2008, 11:40 a.m.]

Subject of Possible Rule Making: WAC 392-121-123 Nonstandard school year programs.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.150.290(1).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: ALE programs have a different methodology for calculating FTE for apportionment funding than standard school district programs. This WAC change will allow for that methodology to be used for the nonstandard school year reporting.

FTE calculation for summer programs has historically been based upon the actual hours of student attendance. With the changes in programs over the past few years it has been determined that the nonstandard school year should be based upon enrolled time rather than the actual hours served due to the complexity of calculating actual hours.

Process for Developing New Rule: Early solicitation of public comments and recommendations respecting new, amended, or repealed rules, and consideration of the comments and recommendations in the course of drafting rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Mitch Thompson, OSPI Enrollment Supervisor, (360) 725-6306, Old Capitol Building, P.O. Box 47200, Olympia, WA.

July 11, 2008
 Dr. Terry Bergeson
 Superintendent of
 Public Instruction

WSR 08-19-012
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH

[Filed September 4, 2008, 3:47 p.m.]

Subject of Possible Rule Making: WAC 246-780-001 through 246-780-060, farmers market nutrition program (FMNP): Outlines program definitions, how markets and growers are authorized, what is expected of contractors, what foods can be purchased, sanctions for farmers and markets, and the appeal process for farmers and markets regarding the department of health (DOH) decisions.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.70.120, chapter 215, Laws of 2008 (2SSB 6483).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: 2SSB 6483 passed in 2008 and requires the FMNP WAC be revised to define and authorize eligible farm stores in FMNP. Other changes needed include removing references to Washington state department of agriculture (WSDA), which no longer provides funding to administer FMNP, and possible amendments to references to the season start date to allow more flexibility when necessary

and include requirements consistent with United States Department of Agriculture - Food and Nutrition Services (USDA-FNS) WIC interim rule on WIC food packages.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The department of social and health services (DSHS) administers the senior FMNP. DSHS and WSDA are on the stakeholders list and we will collaborate with them early in the process via written material and e-mail.

Process for Developing New Rule: Collaborative rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Communication will be sent to market managers and stakeholders via e-mail inviting comments and providing notice of public hearings on the FMNP rule change. Stakeholders may also obtain the same information or provide comments via the WIC web site, the DOH web site or by contacting Sandra Cruz at sandra.cruz@doh.wa.gov, (360) 236-3660, or Jean O'Leary at jean.o'leary@doh.wa.gov, (360) 236-3662, or by writing to either at Department of Health, P.O. Box 47886, Olympia, WA 98504-7886.

September 3, 2008
 Mary C. Selecky
 Secretary

WSR 08-19-019
PREPROPOSAL STATEMENT OF INQUIRY
GAMBLING COMMISSION

[Filed September 5, 2008, 3:38 p.m.]

Subject of Possible Rule Making: Pull-tab games.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 9.46.070.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: We have received a petition for rule change from Bonanza Press, a licensed pull-tab manufacturer. Bonanza Press is requesting that cumulative prize pool games for pull-tab series be authorized for play.

Process for Developing New Rule: Interested parties can participate in the discussion of this proposed change by attending a commission meeting, or contacting the agency rules coordinator at the contact information below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Rick Day, Deputy Director, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3446; Mark Harris, Assistant Director, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3579; or Susan Arland, Rules Coordinator, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3466, e-mail Susana@wsgc.wa.gov.

[Meetings on] October 10, 2008, at the Red Lion Hotel at the Park, 303 West North River Drive, Spokane, WA 99201; and on November 14, 2008, at the Double Tree Hotel, 18740 International Boulevard, Seattle, WA 98188.

September 5, 2008
 Susan Arland
 Rules Coordinator

WSR 08-19-027**PREPROPOSAL STATEMENT OF INQUIRY
GAMBLING COMMISSION**

[Filed September 8, 2008, 3:22 p.m.]

Subject of Possible Rule Making: Administrative hearings.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 9.46.070.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: We have received a petition for rule change from Dave Malone, attorney at law, on behalf of the Coalition for Responsible Gaming and Regulation requesting changes to administrative rules.

Process for Developing New Rule: Interested parties can participate in the discussion of this proposed change by attending a commission meeting, or contacting the agency rules coordinator at the contact information below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Rick Day, Deputy Director, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3446; Mark Harris, Assistant Director, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3579; or Susan Arland, Rules Coordinator, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3466, e-mail Susana@wsgc.wa.gov.

[Meetings on] October 10, 2008, at the Red Lion Hotel at the Park, 303 West North River Drive, Spokane, WA 99201; and on November 14, 2008, at the Double Tree Hotel, 18740 International Boulevard, Seattle, WA 98188.

September 5, 2008

Susan Arland

Rules Coordinator

WSR 08-19-032**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**

(Health and Recovery Services Administration)

[Filed September 9, 2008, 2:47 p.m.]

Subject of Possible Rule Making: The department is amending WAC 388-519-0100 Eligibility for the medically needy program, 388-519-0110 Spenddown of excess income for the medically needy program, and other related rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.04.057, 74.08.090, and 74.09.-500.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is clarifying language, updating outdated WAC references, and adding additional provisions to the rules to comply with federal regulations relating to expenses an individual can use toward meeting spenddown.

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

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jonell O. Blatt, Rules Program Manager, Division of Legal Services, P.O. Box 45504, Olympia, WA 98504-5504, phone (360) 725-1571, fax (360) 586-9727, TTY 1-800-848-5429, e-mail blattj@dshs.wa.gov.

September 9, 2008

Stephanie E. Schiller

Rules Coordinator

WSR 08-19-040**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LICENSING**

[Filed September 10, 2008, 4:13 p.m.]

Subject of Possible Rule Making: Chapter 308-48 WAC, Funeral directors and embalmers, clarify the licensing examination process.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.39.175 Board—Duties and responsibilities—Compensation—Travel expenses—Rules.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Licensing examinations are moving to a computer based testing format using the national examination and grading procedures of the International Conference of Funeral Service Examining Boards. New rules will clarify the examination process and procedures.

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

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Dennis McPhee, Program Manager, Funeral Directors and Embalmers, Department of Licensing, P.O. Box 9045, Olympia, WA 98507, phone (360) 664-1555, fax (360) 570-7098, Funerals@dol.wa.gov.

September 9, 2008

Joe Vincent Jr.

Administrator

WSR 08-19-046
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Economic Services Administration)
 [Filed September 11, 2008, 11:47 a.m.]

The economic services administration requests the withdrawal of the preproposal statement of inquiry filed as WSR 06-08-033 on March 28, 2006 (WAC 388-290-0273). This rule has been recodified into Title 170 WAC under the department of early learning.

Stephanie E. Schiller
 Rules Coordinator

WSR 08-19-047
PREPROPOSAL STATEMENT OF INQUIRY
SUPERINTENDENT OF
PUBLIC INSTRUCTION
 [Filed September 11, 2008, 11:54 a.m.]

Subject of Possible Rule Making: Chapter 392-340 WAC, School district organization.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.525.020 Duties of superintendent of public instruction.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: 2008 legislation requires changes to be made to chapter 392-340 WAC. In an effort to quickly enact up-to-date WACs, we previously made changes to the chapter via the emergency rule process and are now following the requirements of going through the entire rule-making process.

Process for Developing New Rule: The office of superintendent of public instruction (OSPI) welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, OSPI will file a proposal with the office of the code reviser with a notice of proposed rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Scott Black, Program Development Manager, P.O. Box 47200, 600 Washington Street S.E., Olympia, WA 98504-7200, fax (360) 586-3946, e-mail scott.black@k12.wa.us, phone (360) 725-6268.

August 12, 2008
 Terry Bergeson
 Superintendent of
 Public Instruction

WSR 08-19-048
PREPROPOSAL STATEMENT OF INQUIRY
SUPERINTENDENT OF
PUBLIC INSTRUCTION
 [Filed September 11, 2008, 11:54 a.m.]

Subject of Possible Rule Making: Chapter 392-153 WAC, Traffic safety education.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 28A.220 RCW and RCW 46.20.100.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To amend the language to reflect requirements adopted by the 2008 legislative session.

Process for Developing New Rule: Other [no further information supplied by agency].

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Allan J. Jones, Director, Pupil Transportation and Traffic Safety Education, Office of Superintendent of Public Instruction, P.O. Box 47200, Olympia, WA 98504-7200, (360) 725-6120, fax (360) 586-6124, e-mail allan.jones@k12.wa.us.

September 10, 2008
 Dr. Terry Bergeson
 Superintendent of
 Public Instruction

WSR 08-19-052
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Aging and Disability Services Administration)
 [Filed September 11, 2008, 2:03 p.m.]

Subject of Possible Rule Making: The department is amending chapter 388-826 WAC, Voluntary placement program.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 71A.10.020, 71A.12.030, 74.13.021, 74.13.-350.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is proposing to revise chapter 388-826 WAC. This amendment changes the name of the chapter to Children's residential services—Voluntary placement and updates the rules throughout the chapter to provide more consistent administration, delivery, and monitoring across the state to all recipients of voluntary placement services.

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

Process for Developing New Rule: The department welcomes the public to participate in the development of these rules. At a later date, the department will publish proposed rules for public comment, and a public hearing will be held before the rules are adopted as permanent.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Steve Brink, Program Manager, Division of Developmental Disabilities, P.O. Box 45310, Olympia, WA 98504-5310, phone (360) 725-3416, fax (360) 407-0955, e-mail brinksc@dshs.wa.gov.

September 11, 2008
 Stephanie E. Schiller
 Rules Coordinator

WSR 08-19-071
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES
 [Filed September 16, 2008, 9:49 a.m.]

Subject of Possible Rule Making: Chapter 296-200A WAC, Contractor certificate of registration.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 18.27 RCW and chapter 120, Laws of 2008 (2SSB 6732).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule making is a result of 2SSB 6732, which was passed by the 2008 legislature. The contractor registration rules need to be updated to be consistent with the statute and with industry practices. The rule making will also review the contractor registration rules for additions; such as incorporation of program policies, revisions and clarification.

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

Process for Developing New Rule: Parties interested in these rules may contact the individual listed below. The public may also participate by commenting after amendments are proposed by providing written comments and/or testimony during the public hearing and comment process. Labor and industries will share with representatives of the labor and self-insured employer communities on the proposed changes to the regulations. Public hearings will be held after the proposal is filed.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Sally Elliott, Department of Labor and Industries, Specialty Compliance Services Division, P.O. Box 44400, Olympia, WA 98504-4400, phone (360) 902-6411, fax (360) 902-5292, e-mail yous235@lni.wa.gov.

September 16, 2008
 Judy Schurke
 Director

WSR 08-19-073
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES
 [Filed September 16, 2008, 9:52 a.m.]

Subject of Possible Rule Making: Chapter 296-155 WAC, Cranes, derricks, hoists, elevators, and conveyors (Part L).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 49.17.010, 49.17.040, 49.17.050, 49.17.060, 49.17.400, 49.17.410, 49.17.420, 49.17.430, 49.17.440 (chapter 27, Laws of 2007).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule making is to address the requirements that employers must follow with regard to inspection, maintenance and operation of cranes used in the construction industry. This phase will also

include updates to our current rigging and personnel lifting requirements. RCW 49.17.400 through 49.17.440 requires the department to establish by rule a crane certification program for cranes used in the construction industry and to establish requirements that must be met to be considered a qualified crane operator.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other state or federal agencies (other than OSHA) are known to regulate worker safety and health for this subject.

Process for Developing New Rule: Negotiated rule making; and parties interested in the formulation of these rules for proposal may contact the individual listed below. The public may also participate by commenting after amendments are proposed by providing written comments or giving oral testimony during the public hearing process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Cindy Ireland, Safety and Health Specialist, Department of Labor and Industries, Division of Occupational Safety and Health (DOSHS), P.O. Box 44620, Olympia, WA 98504-4620, phone (360) 902-5522, fax (360) 902-5619, e-mail mocc235@lni.wa.gov.

September 16, 2008
 Judy Schurke
 Director

WSR 08-19-074
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF REVENUE
 [Filed September 16, 2008, 9:54 a.m.]

Subject of Possible Rule Making: WAC 458-40-540 Forest land values, 458-40-610 Timber excise tax—Definitions, and 458-40-660 Timber excise tax—Stumpage value tables.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 84.33.096, 82.32.300, and 82.01.060(2).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: RCW 84.33.091 requires the department of revenue to revise the stumpage value tables every six months. The department establishes stumpage value tables to apprise timber harvesters of the timber values used to calculate the timber excise tax. The department anticipates amending WAC 458-40-660 to provide valuations for the first half of 2009. RCW 84.33.140 requires that forest land values be adjusted annually by a statutory formula contained in RCW 84.33.140(3). The department anticipates amending the forest land values rule (WAC 458-40-540) to adjust the table of forest land values in Washington as required by statute. County assessors will use these published land values for property tax purposes in 2009. The department is considering an amendment to WAC 458-40-610 to classify forest derived biomass.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Although the United States Forest Service and Wash-

ington state department of natural resources both regulate forest practices, neither is involved in valuation for taxation purposes. The nontax processes and definitions are coordinated with these agencies to avoid conflict, but there should be no need to involve them in the valuation revisions provided in this rule.

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Written comments may be submitted by mail, fax, or at the public meeting. Oral comments will be accepted at the public meeting. A preliminary draft anticipated changes will be available upon request shortly before the public meeting. Written comments on and/or requests for copies of the rule may be directed to Mark E. Bohe, Interpretations and Technical Advice Division, P.O. Box 47453, Olympia, WA 98504-47453 [98504-7453], e-mail markbohe@dor.wa.gov, phone (360) 570-6133, fax (360) 586-0127.

Public Meeting Location: Capital Plaza Building, 4th Floor, L&P Large Conference Room, 1025 Union Avenue S.E., Olympia, WA, on October 21, 2008, at 10:00 a.m.

September 16, 2008

Alan R. Lynn
Rules Coordinator

WSR 08-19-075

PREPROPOSAL STATEMENT OF INQUIRY HOUSING FINANCE COMMISSION

[Filed September 16, 2008, 10:20 a.m.]

Subject of Possible Rule Making: Amendment to existing rules governing the allocation of low-income housing tax credits to limit the number of required allocation criteria and to adjust the criteria for carryover allocations.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 43.180 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The existing rules establish the criteria for the commission's allocation of low-income housing tax credits. The commission is adopting amendments to the existing allocation rules to simplify the allocation criteria and to facilitate the carryover of allocations.

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

Process for Developing New Rule: The commission will request written comments from persons who may be interested in the rules concerning its tax credit program. Comments received will be considered by the commission before the final rules are published pursuant to a formal notice.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Written comments must be received by December 17, 2008. These comments will be considered by the com-

mission at its December 18, 2008, meeting. Thereafter, the commission will proceed with rule making. Contact Mr. Steve Walker, Director, Tax Credit Division, Washington State Housing Finance Commission, 1000 Second Avenue, Suite 2700, Seattle, WA 98104-1046, phone (206) 287-4467, fax (206) 587-5113.

September 15, 2008
Steve Walker, Director
Tax Credit Division

WSR 08-19-091

PREPROPOSAL STATEMENT OF INQUIRY OLYMPIC COLLEGE

[Filed September 16, 2008, 2:52 p.m.]

Subject of Possible Rule Making: Revise bylaws of the Olympic College board of trustees (chapter 132C-104 WAC) and simultaneously repeal regular meetings of the board of trustees (WAC 132C-104-060).

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 28B.50 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The proposed changes are intended to update policy to provide clarity, eliminate redundancy, and bring the policies into alignment with current practice. None of these changes will substantially change the intent of the bylaws. WAC 132C-104-060 Regular meetings of the board of trustees, will be subsumed into the revised bylaws.

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

Process for Developing New Rule: Review by college council, president's cabinet, and board of trustees.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Thomas Oliver, Olympic College, rules coordinator, (360) 475-7502 or tolover@olympic.edu to provide comments on this rule.

September 16, 2008
Thomas Oliver
Rules Coordinator

WSR 08-19-107

PREPROPOSAL STATEMENT OF INQUIRY WASHINGTON STATE PATROL

[Filed September 17, 2008, 8:55 a.m.]

Subject of Possible Rule Making: Chapter 212-80 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.270.900.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The proposed changes modify the existing rules to include sprinkler fitters in the process for obtaining either a certificate of competency or a trainee

certificate. In addition, the changes also include the sprinkler fitters into the procedures for investigation of alleged violations as well as the appeals process and the suspension of certifications. Finally, these changes specify the required fees for the certification process.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The proposed rules were developed with input from a technical assistance group (TAG) comprised of stakeholders from across the fire sprinkler installation industry. The participants included representatives from the Fire Sprinkler Advisory Board of Puget Sound, Road Sprinkler Fitters (AU Local No. 669), various fire sprinkler contractors and the Washington State Fire Marshal's Association.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Mr. Chuck Duffy, Chief Deputy State Fire Marshal, Office of the State Fire Marshal, P.O. Box 42600, Olympia, WA 98504-2600, (360) 596-3913, chuck.duffy@wsp.wa.gov.

September 16, 2008
P. S. Beckley
for John R. Batiste
Chief

WSR 08-19-111

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF COMMUNITY, TRADE AND ECONOMIC DEVELOPMENT

[Filed September 17, 2008, 9:24 a.m.]

Subject of Possible Rule Making: Update to chapter 130-20 WAC, Motion picture competitiveness program.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 43.365 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: During the 2008 legislative session, the legislature passed SSB 6423 (chapter 85, Laws of 2008) which made changes to the motion picture competitiveness program. Some of the statutory changes require an update to chapter 130-20 WAC. Additionally, the program has been under way for twenty months. The department is proposing [proposing] some rule updates based on nearly two years' of program experience.

Process for Developing New Rule: Following regular rule-making process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Mary Trimarco, Managing Director, CTED, Washington State Film Office, 2001 Sixth Avenue, Suite 2600, Seattle, WA 98121-2895, office (206) 256-6146, fax (206) 256-6158, maryt@cted.wa.gov.

September 17, 2008
Marie Sullivan
Director of
Government Relations

WSR 08-19-112

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Aging and Disability Services Administration)

[Filed September 17, 2008, 10:24 a.m.]

Subject of Possible Rule Making: The department is amending chapter 388-845 WAC, Division of developmental disabilities home and community based services waivers.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 71A.12.030, 71A.12.120, 2008 supplemental budget, ESHB 2687, section 205 (1)(i).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The division of developmental disabilities is amending chapter 388-845 WAC, DDD home and community based services waivers, to add a fifth waiver, known as the children's intensive in-home behavioral supports (CIIBS). These rules are necessary to implement the CIIBS waiver. They incorporate changes reflected in the waivers submitted to the federal Centers for Medicare and Medicaid Services under Section 1915(c) of the Social Security Act and implement the 2008 supplemental budget, ESHB 2687, section 205 (1)(i).

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The department coordinates its rules with and receives approval from the federal Centers for Medicare and Medicaid Services for the administration of waivers under Section 1915(c) of the Social Security Act.

Process for Developing New Rule: The department welcomes the public to participate in the development of these rules. At a later date, the department will publish proposed rules for public comment, and a public hearing will be held before the rules are adopted as permanent.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Steve Brink, Program Manager, Division of Developmental Disabilities, P.O. Box 45310, Olympia, WA 98504-5310, phone (360) 725-3416, fax (360) 407-0955, e-mail brinksc@dshs.wa.gov.

September 17, 2008
Stephanie E. Schiller
Rules Coordinator