

**WSR 10-01-181**  
**AGENDA**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**

[Filed December 22, 2009, 2:33 p.m.]

Following is the department of social and health services' semi-annual rule-making agenda for January 1 through June 30, 2010. This agenda will be published in the Washington state register under RCW 34.05.314 and distributed to interested parties, and is available on-line 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 through June 30, 2010**

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 (CR-103E)	Preproposal Notice (CR-101)	Proposed Rule (CR-102)	Permanent (Final) Rule (CR-103P)
<b>Aging and Disability Services Administration (ADSA)</b>							
<b>ADSA - Division of Developmental Disabilities (DDD)</b>							
Chapter 388-825 WAC	Division of developmental disabilities service rules.	Repealing the rules relating to the family support program which have been replaced by chapter 388-832 WAC.	Meredith Kelly ADSA-DDD		WSR 09-04-092  Filed 2/4/09	WSR 09-15-020  Hearing 8/25/09	
WAC 388-825-068	Division of developmental disabilities services rules.	Amending requirements to respond to state budget appropriations (adult day health).	Meredith Kelly ADSA-DDD	WSR 09-22-038  Filed 10/27/09	WSR 09-07-039  Filed 3/10/09	WSR 09-15-161  Hearing 8/25/09	
Chapter 388-826 WAC	Voluntary placement program.	Changing the chapter name to Children's residential services—Voluntary placement; updating the rules to provide more consistent administration, delivery, and monitoring across the state to all recipients of voluntary placement services.	Meredith Kelly ADSA-DDD		WSR 08-19-052  Filed 9/11/08		
Chapter 388-828 WAC	DDD assessment.	Adding language to chapter 388-828 WAC to clarify the individual support plan process.	Meredith Kelly ADSA-DDD		WSR 08-16-138  Filed 8/6/08	WSR 09-12-060  Hearing 7/7/09	
Chapter 388-828 WAC	DDD assessment.	Adding the children's intensive in-home behavioral support program algorithm.	Meredith Kelly ADSA-DDD	388-828-1620 WSR 09-21-103  Filed 10/21/09	WSR 08-20-087  Filed 9/29/08		

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WAC 388-831-0010 388-831-0030	Who are individuals with community protection issues?	Including individuals who have a history of violent behavior which demonstrates the likelihood to commit a violent act.	Meredith Kelly ADSA-DDD	WSR 09-18-095  Filed 9/1/09	WSR 09-01-047  Filed 12/10/08		
WAC 388-831-0240	Can I be terminated from the community protection program?	Maintaining consistency with changes in WAC 388-845-0060.	Meredith Kelly ADSA-DDD		WSR 09-07-062  Filed 3/12/09		
WAC 388-832-0145	Who is eligible to receive respite care?	Revising eligibility, as directed by the legislature, for respite services for individuals participating in the individual and family services program.	Meredith Kelly ADSA-DDD	WSR 09-24-013  Filed 11/23/09	WSR 09-14-016  Filed 6/22/09		
WAC 388-832-0160 388-832-0305 388-832-345 388-832-0460	DDD respite care.	Clarifying limits on respite care and identifying qualified providers.	Meredith Kelly ADSA-DDD		WSR 09-15-162  Filed 7/21/09		
Chapter 388-835 WAC	ICF/MR program and reimbursement system	Amending language to reflect new rates for intermediate care facilities for the mentally retarded.	Meredith Kelly ADSA-DDD		Planned for future action.		
Chapter 388-845 WAC	Division of developmental disabilities home and community based services waivers.	Adding a fifth waiver, known as the children's intensive in-home behavioral supports (CIIBS).	Meredith Kelly ADSA-DDD	WSR 09-18-059  Filed 8/28/09	WSR 08-19-112  Filed 9/17/08		
Chapter 388-850 WAC	County plan for developmental disabilities.	Rewriting rules in "plain talk" format and clarifying language.	Meredith Kelly ADSA-DDD		Planned for future action.		
WAC 388-850-045	County plan for developmental disabilities.	Amending the requirements to comply with state budget appropriations.	Meredith Kelly ADSA-DDD	WSR 09-22-028  Filed 10/27/09	WSR 09-01-132  Filed 12/22/08		
<b>ADSA - Home and Community Services (HCS)</b>							
WAC 388-71-0515 388-71-0540 388-106-1303	Home and community services and programs and long-term care services.	Paying a home care agency licensed under chapter 70.127 RCW for medicaid funded in-home personal care or respite services if the care is provided to a client by a family member.	Tiffany Sevrak ADSA-HCS	WSR 10-01-167  Filed 12/22/09	WSR 09-18-090  Filed 9/1/09		

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WAC 388-71-05665 through 388-71-05890	Home and community services, long-term care services, and developmental disabilities services.	Implementing Initiative 1029 and federal background checks and training and certification requirements.	Barbara Hanneman ADSA-HCS		WSR 09-04-087  Filed 2/3/09	WSR 09-21-095  Hearing 11/24/09	WSR 09-24-092  Effective 1/1/10
WAC 388-71-0724	Payment rates at adult day health centers.	Implementing a preliminary injunction order issued by the United States district court.	Tiffany Sevruk ADSA-HCS				
Chapters 388-71 388-106 WAC	Adult day health.	Changing rules based on state budget and federal requirements regarding adult day health.	Tiffany Sevruk ADSA-HCS	(388-71-0724) WSR 09-20-037  Filed 9/30/09	WSR 09-12-042  Filed 5/27/09		
Chapter 388-106 WAC	Long-term care services.	Updating how the individual budget amount is calculated after the New Freedom participant is assigned a classification as a result of an assessment performed in CARE.	Tiffany Sevruk ADSA-HCS		WSR 09-13-092  Filed 6/16/09		
WAC 388-106-0125	Long-term care services.	Reducing the number of in-home care hours authorized in the 17 level CARE assessment as directed by the legislature.	Tiffany Sevruk ADSA-HCS	WSR 09-21-074  Filed 10/16/09	WSR 09-14-042  Filed 6/24/09		
WAC 388-106-1200 through 388-106-1230	Respite care services.	Adding language regarding the new tailored caregiver assessment and referral (TCARE) process.	Tiffany Sevruk ADSA-HCS		WSR 09-16-080  Filed 7/31/09		
WAC 388-106-1000 through 388-106-1055	Private duty nursing.	Changing the frequency of the comprehensive assessment reporting evaluation (CARE) assessment and skilled nursing task log.	Tiffany Sevruk ADSA-HCS		WSR 09-24-028  Filed 11/23/09		
Chapters 388-513 388-515 WAC	Client not in own home—Institutional medical and alternative living—Institutional medical.	Clarifying eligibility, allocation/deeming, and making other language clarifications.	Lori Rolley ADSA-HCS		WSR 09-22-045  Filed 10/28/09		

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WAC 388-513-1315	Eligibility for long-term care.	Removing reference to the alien emergency medical program and adding reference to new WAC section regarding noncitizens.	Lori Rolley ADSA-HCS		WSR 09-15-184  Filed 7/22/09	WSR 09-21-073  Hearing 11/24/09	
Chapter 388-561 WAC	Trusts, annuities, and life estates - effect on medical programs.	Adding Deficit Reduction Act language and language regarding promissory notes.	Lori Rolley ADSA-HCS		WSR 09-24-029  Filed 11/23/09		
<b>ADSA - Office of Rates Management</b>							
Chapter 388-96 WAC	Nursing facility medicaid payment system.	Incorporate statutory changes and clarify regulations.	Patricia Hague ADSA-Office of rates management		WSR 09-17-003  Filed 8/6/09		
<b>ADSA - Residential Care Services (RCS)</b>							
Chapter 388-76 WAC	Adult family home minimum licensing requirements.	The department is considering making editorial and clarifying changes and to make the rules consistent with current laws and standards.	Maureen Lally ADSA-RCS		WSR 09-15-156  Filed 7/21/09	WSR 09-20-060  Hearing 12/8/09	
Chapter 388-76 WAC	Adult family home rules.	The department is considering making clarifying changes and consolidating terms to simplify the rules.	Maureen Lally ADSA-RCS		WSR 09-16-101  Filed 8/4/09	WSR 09-21-070  Hearing 12/8/09	
Chapter 388-78A WAC	Boarding home rules.	The department is considering making editorial and clarifying changes and making these rules consistent with current law and standards.	Judy Johnson ADSA-RCS		WSR 09-14-069  Filed 6/29/09	WSR 09-20-061  Hearing 12/8/09	
Chapter 388-97 WAC	Nursing home rules.	The department is considering making editorial and clarifying changes and making the rules consistent with current laws and standards.	Lisa Yanagida ADSA-RCS		WSR 09-14-070  Filed 6/29/09	WSR 09-20-062  Hearing 12/8/09	
Chapter 388-101 WAC	Certified community residential services and supports.	The department is making editorial and clarifying changes and making the rules consistent with current law and standards.	John Gaskell ADSA-RCS		WSR 09-14-068  Filed 6/29/09	WSR 09-21-094  Hearing 12/8/09	

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<b>Children's Administration (CA)</b>							
WAC chapter not determined yet	Domestic violence prevention.	Proposing new rules establishing standards for programs receiving domestic violence prevention funds.	Maureen Kelly CA		WSR 06-06-073  Filed 2/28/06		
WAC 388-15-013	Who may receive child protective services?	Matching requirements as to in loco parentis in RCW 74.13.031 and CA policy.	Tina Stern CA		WSR 09-10-076  Filed 5/5/09		
Chapter 388-27 WAC	Guardianship subsidies.	Creating rules to provide clarity and guidance to persons receiving guardianship subsidy.	Lonnie Locke CA		WSR 08-05-045  Filed 2/13/08		
WAC 388-27-0275	When does the department review an adoptions support agreement?	Bringing the rule into compliance with RCW 74.13.031.	Lonnie Locke CA		WSR 09-16-105  Filed 8/4/09		
WAC 388-32-0020 388-32-0025 388-32-0030	Family reconciliation services.	Reflecting efforts to best serve the needs of families served by CA, supporting access to appropriate services for families with adolescents across programs.	Tim Kelly CA		WSR 08-05-043  Filed 2/13/08		
Chapter 388-39A WAC	Child welfare services—Complaint resolution.	Child welfare services—Complaint resolution.	CA		Planned for future action.		
Chapter 388-61A WAC	Shelters for victims of domestic violence.	Updating and deleting outdated sections, and developing new sections specifically covering nonresidential services provided by emergency shelter contractors.	Susan Hannibal CA		WSR 08-06-086		
WAC 388-165-140	Child care for child protective services and child welfare services.	Bringing the rule into compliance with CA's revised and updated child care subsidy program to minimize impact on direct services and implement fiscal policy and practice efficiencies.	Michael Luque CA		WSR 09-16-104  Filed 8/4/09		

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<b>Economic Services Administration (ESA)</b>							
<b>ESA - Community Services Division (CSD)</b>							
WAC 388-310-1600	WorkFirst—Sanctions.	Tightening program requirements and prioritizing services for WorkFirst clients.	Stephanie Nielsen ESA-CSD		WSR 10-01-159  Filed 12/22/09		
WAC 388-310-2100	Career services program.	Tightening program requirements and prioritizing services for WorkFirst clients.	Olga Walker ESA-CSD		WSR 10-01-160  Filed 12/22/09		
WAC 388-406-0055	When do my benefits start?	Clarifying rules about missing verification after filing an application.	Don Winslow ESA-CSD		WSR 09-20-079  Filed 10/6/09		
WAC 388-408-0020	When am I not allowed to be in a TANF or SFA assistance unit?	Clarifying that adoptive children are always to be included in TANF and SFA units.	Tom Berry ESA-CSD		WSR 09-16-102  Filed 8/4/09	WSR 09-23-077  Hearing 12/22/09	
WAC 388-418-0005	How will I know what changes I must report?	Clarifying that overpayments cannot be collected from nonneedy caregivers who receive no financial benefit from the grant.	Tom Berry ESA-CSD		WSR 09-20-080  Filed 10/6/09		
WAC 388-418-0005 388-418-0007 388-418-0011 388-416-0005	Simplified reporting.	Amending sections to expand simplified reporting to households as allowed under the 2008 farm bill.	Don Winslow ESA-CSD		WSR 08-15-133  Filed 7/22/08		
WAC 388-418-0020	How does the department determine the date a change affects my benefits?	Revising the rules to make them easier to understand and clarifying the effective date when a change causes and [an] increase in benefits.	Bill Callahan ESA-CSD		WSR 08-04-075  Filed 2/4/08		
WAC 388-422-0005	What happens to my child, spousal, and medical support when I get public assistance?	Clarifying the intent of the policy and support the assignment policy under RCW 74.20.330.	Tom Berry ESA-CSD		WSR 09-16-103  Filed 8/4/09	WSR 09-21-069  Hearing 11/24/09	

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WAC 388-448-0030 388-448-0040	Providing medical evidence.	Amending the description of medical evidence requirements needed to determine incapacity to align the rules with the intent of RCW 74.04.005.	Melissa Mathson ESA-CSD		WSR 08-13-048  Filed 6/12/08	WSR 08-19-044  Hearing 10/21/08	
WAC 388-448-0080 388-448-0090 388-448-0100 388-448-0110	General assistance incapacity criteria.	Aligning the general assistance incapacity criteria with the Social Security Administration disability criteria.	Melissa Mathson ESA-CSD		WSR 09-19-125  Filed 9/22/09		
WAC 388-450-0005 388-450-0100 388-450-0106 388-450-0140 388-450-0155 388-450-0156 388-450-0157 388-450-0160 388-470-0060	Sponsor deeming.	Clarifying how sponsor's income and resources are deemed available to the sponsored immigrants.	Tom Berry ESA-CSD		WSR 08-17-114  Filed 8/20/08		
WAC 388-450-0040	Native American benefits and payments.	Correctly reflecting how the various Native American payments are to be treated when the department determines eligibility for DSHS programs.	Don Winslow ESA-CSD		WSR 08-15-130  Filed 7/22/08		
WAC 388-452-0005	Do I have to be interviewed in order to get benefits?	Amending rules for Basic Food consistent with approved waivers to interview requirements under 7 C.F.R. § 273.2(e) related to required interviews for the supplemental nutrition assistance program (SNAP).	John Camp ESA-CSD		WSR 08-22-085  Filed 11/4/08	WSR 09-22-067  Hearing 12/8/09	WSR 10/01/165  Effective 1/22/10
WAC 388-454-0015	Temporary absence from the home.	Clarifying the policy regarding situations that do not meet the criteria of a temporary absence as described in subsection (4) of the WAC.	Tom Berry ESA-CSD		WSR 09-02-058  Filed 1/5/09	WSR 09-18-094  Hearing 10/6/09	

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WAC 388-478-0015	Need standards for cash assistance.	Revising the basic need standards for cash assistance.	Aurea Figueroa-Rogers ESA-CSD		WSR 09-14-017  Filed 6/22/09	WSR 09-24-014  Hearing 1/5/10	
WAC 388-478-0030	Payment standards for GA-U and ADATSA.	Applying a ratable reduction on the general assistance cash grant payment standard.	Melissa Mathson ESA-CSD		WSR 09-19-124  Filed 9/22/09	CR-102 to be filed no later than 3/3/10.	
Chapter 388-484 WAC	TANF/SFA assistance program rules.	Tightening program requirements and prioritizing services for clients.	Stacey Bushaw ESA-CSD		WSR 10-01-161  Filed 12/22/09		
<b>ESA Division of Child Support (DCS)</b>							
Chapter 388-14A WAC	Division of child support rules.	Changing the Washington state support schedule.	Nancy Koptur ESA-DCS	WSR 09-20-030  Filed 9/29/09	WSR 09-10-046  Filed 5/1/09		
Chapter 388-14A WAC	Division of child support rules.	Considering improvements to the conference board process in order to streamline agency procedures, increase efficiency, and increase the level of customer service.	Nancy Koptur ESA-DCS		WSR 08-08-113  Filed 4/2/08		
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		
Chapter 388-14A WAC	Division of child support rules.	Implementing statutory changes contained in SSB 5166 (chapter 408, Laws of 2009) regarding the division of child support license suspension program.	Nancy Koptur ESA-DCS	WSR 09-23-110  Filed 11/18/09	WSR 09-14-073  Filed 6/29/09	WSR 09-23-068  Hearing 1/5/10	
Chapter 388-14A WAC	Division of child support rules.	Implementing statutory changes contained in E2SSB 5688 (chapter 521, Laws of 2009) regarding the rights and responsibilities of registered domestic partners.	Nancy Koptur ESA-DCS		WSR 09-14-074  Filed 6/29/09		



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Chapter 388-14A WAC	Division of child support rules.	Implementing statutory changes contained in SHB 1845 (chapter 476, Laws of 2009) regarding medical support obligations in child support orders.	Nancy Koptur ESA-DCS		WSR 09-14-075  Filed 6/29/09		
<b>Health and Recovery Services Administration (HRSA)</b>							
<b>HRSA - Chemical Dependency (Division of Behavioral Health and Recovery - formerly Division of Alcohol and Substance Abuse)</b>							
Chapters 388-800 388-805 388-810 WAC		(No current rule-making activity.)					
<b>HRSA - Mental Health</b>							
WAC 388-865-0255	Consumer grievance process.	Updating and clarifying policy and making the rules easier to read.	Kevin Sullivan HRSA-MH		WSR 09-05-061  Filed 2/12/09		
WAC 388-865-0350 388-865-0420 388-865-0425	Mental health screening and intake evaluation.	Clarifying policy and making the rules easier to read.	Kevin Sullivan HRSA-MH		WSR 09-05-060  Filed 2/12/09		
<b>HRSA - Medical Assistance (MA)</b>							
WAC 388-438-0110	Alien emergency medical program.	Restricting alien medical services to a federal emergency services component and limiting state-only coverage to end-stage renal dialysis, cancer treatment, and nursing facility care.	Kevin Sullivan HRSA-MA	WSR 09-22-055  Filed 10/30/09	WSR 09-18-057  Filed 8/28/09		
WAC 388-475-1000 388-475-1150 388-475-1200 388-475-1250	Healthcare for workers with disabilities (HWD).	Complying with federal requirements regarding HWD.	Kevin Sullivan HRSA-MA		WSR 09-12-089  Filed 6/1/09		
WAC 388-500-0005	Medical definitions.	Updating medical definitions to make them consistent with how terms are used throughout department medical program rules.	Kevin Sullivan HRSA-MA		WSR 09-22-038  Filed 11/2/09		
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		

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WAC 388-501-0165	Medical and dental coverage.	Clarifying what is meant by "fifteen days" and "business days."	Wendy Boedigheimer HRSA-MA		WSR 09-05-059  Filed 2/12/09		
WAC 388-502-0010 388-502-0030	Payment for providers.	Updating and clarifying rules regarding providers of services.	Wendy Boedigheimer HRSA-MA		WSR 09-05-056  Filed 2/12/09		
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 388-505-0110	Medical assistance coverage for adults not covered under family medical programs.	Complying with legislative changes regarding general assistance-unemployable.	Kevin Sullivan HRSA-MA		WSR 09-18-092  Filed 9/1/09		
WAC 388-526-2610	Prehearing reviews for clients who request a fair hearing.	Adding new sections to the chapter that are specific to the HRSA medical care programs in order to expand on and better define administrative hearing rules.	Kathy Sayre HRSA-MA		WSR 08-10-064  Filed 5/5/08		
Chapter 388-527 WAC	Estate recovery.	Amending language to comply with changes to the Social Security Act and the Deficit Reduction Act.	Wendy Boedigheimer HRSA-MA		WSR 09-22-046  Filed 10/28/09		
WAC 388-530-4100 388-530-4150	Washington preferred drug list (PDL) and therapeutic interchange program (TIP).	Purchasing health-care programs to maximum appropriate prescription drug use in a cost-effective manner.	Wendy Boedigheimer HRSA-MA	WSR 09-20-044  Filed 9/30/09	WSR 09-18-058  Filed 8/28/09	WSR 09-23-074  Hearing 12/22/09	
WAC 388-531-2000 388-546-3000 388-550-5450	Trauma payments.	Giving greater flexibility in making supplemental trauma payments to providers in order to leverage federal matching funds under the American Recovery and Reinvestment Act and maximize trauma care system reimbursement.	Kevin Sullivan HRSA-MA		WSR 09-24-027  Filed 11/23/09		

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WAC 388-533-0315 388-533-0320 388-533-0345	Maternity support services.	Amending and possibly repealing sections due to shortfall in anticipated budget revenues.	Kathy Sayre HRSA-MA	WSR 09-22-033  Filed 10/27/09	WSR 09-04-069  Filed 2/2/09		
WAC 388-533-0365 388-533-0370 388-533-0386	Infant case management.	Amending sections to meet targeted budget expenditure levels.	Kathy Sayre HRSA-MA	WSR 09-22-034  Filed 10/27/09	WSR 09-04-069  Filed 2/2/09		
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		
WAC 388-534-0100	Early and periodic screening, diagnosis, and treatment (EPSDT).	Updating and clarifying EPSDT policy for all health-care services, including medical, dental, and behavioral health services.	Kevin Sullivan HRSA-MA		WSR 09-22-070  Filed 11/2/09		
WAC 388-535-1084 388-535-1090 388-535-1100 388-535-1261 388-535-1266 388-535-1267 388-535-1269 388-535-1271	Dental-related services.	Amending sections due to shortfall in anticipated budget revenues.	Kathy Sayre HRSA-MA	WSR 09-22-037  Filed 10/27/09	WSR 09-04-070  Filed 2/2/09		
Chapter 388-540 WAC	Free standing kidney centers.	Updating and clarifying policy.	Kathy Sayre HRSA-MA		WSR 10-01-166  Filed 12/22/09		
Chapter 388-543 WAC	Durable medical equipment.	Amending this chapter to improve clarity and update policy regarding durable medical equipment, and related supplies, prosthetics, orthotics, medical supplies and related services.	Wendy Boedigheimer HRSA-MA		WSR 09-12-043  Filed 5/27/09		

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WAC 388-543-2900	Medical supplies and non-durable medical equipment (MSE) - reimbursement methodology.	Describing the payment methodology the department will use to meet the legislature's intent.	Wendy Boedigheimer HRSA-MA	WSR 09-22-031  Filed 10/27/09	WSR 09-14-041  Filed 6/24/09	WSR 09-20-063  Hearing 11/10/09	WSR 09-24-094  Effective 1/1/10
WAC 388-546-0001 through 388-546-4000	Emergency transportation services.	Informing providers regarding Ambulance Program policies not currently addressed or sufficiently explained in chapter 388-546 WAC and billing instructions.	Wendy Boedigheimer HRSA-MA		WSR 09-10-015  Filed 4/24/09		
WAC 388-546-5000 through 388-546-5400	Nonemergency transportation services.	Updating, rearranging, and clarifying rules related to nonemergency transportation for clients to and from medically necessary covered medical services.	Kevin Sullivan HRSA-MA		WSR 09-04-073  Filed 2/2/09		
WAC 388-546-5500	Modifications of privately owned vehicles.	Due to shortfalls in anticipated budget revenues, the department is amending this section by moving modifications of privately owned vehicles to non-covered.	Wendy Boedigheimer HRSA-MA	WSR 09-22-036  Filed 10/27/09	WSR 09-09-100  Filed 4/20/09	WSR 10-01-164  Hearing 1/26/10	
Chapter 388-548 WAC	Federally qualified health centers.	Implementing the federal payment methodology for federally qualified health centers. The Federal Benefit Improvement and Protection Act of 2000 replaced cost-based reimbursement methodology with medicaid FQHC prospective payment system.	Wendy Boedigheimer HRSA-MA	WSR 09-22-029  Filed 10/27/09	WSR 08-14-125  Filed 7/1/08	WSR 10-01-162  Hearing 1/26/10	
WAC 388-549-1100 388-549-1400 388-549-1500	Rural health clinics.	Describing the reimbursement methodology the department will use for rural health clinics as authorized by federal law and the state plan.	Wendy Boedigheimer HRSA-MA	WSR 09-22-030  Filed 10/27/09	WSR 09-15-164  Filed 7/21/09	WSR 10-01-163  Hearing 1/26/10	

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 (CR-103E)	Preproposal Notice (CR-101)	Proposed Rule (CR-102)	Permanent (Final) Rule (CR-103P)
Chapter 388-550 WAC	Hospital services—Disproportionate share hospitals	Update and clarify sections in chapter 388-550 WAC that pertain to the disproportionate share hospital program.	Kathy Sayre HRSA-MA		WSR 08-22-023  Filed 10/28/08		
WAC 388-550-4670 388-550-4900 388-550-5150 388-550-5200 388-550-5210 388-550-5220	Hospital related rules.	Amending hospital-related and provider-related rules due to shortfall in anticipated budget revenues.	Kathy Sayre HRSA-MA	WSR 09-22-032  Filed 10/27/09	WSR 09-04-072  Filed 2/2/09		
WAC 388-550-7200 388-550-7300	Hospital services.	Adding language regarding hospital requirements to bill according to the national correct coding initiative (NCCI) standards.	Kathy Sayre HRSA-MA		WSR 09-24-030		
Chapter 388-551 WAC	Home health services.	Delivery of home health care services through telemedicine.	Wendy Boedigheimer HRSA-MA		WSR 09-18-091  Filed 9/1/09		
Chapter 388-552 WAC	Oxygen and respiratory therapy services.	Improving clarity, updating policy regarding oxygen and respiratory therapy, and reorganizing the section to be consistent with other chapters.	Wendy Boedigheimer HRSA-MA		WSR 09-13-099		
WAC 388-554-100 388-554-200 388-554-300 388-554-400 388-554-500 388-554-600 388-554-700 388-554-800 388-554-900	Enteral nutrition program.	Amending rules due to shortfalls in anticipated budget revenues.	Wendy Boedigheimer HRSA-MA	WSR 09-22-035  Filed 10/27/09	WSR 09-06-080  Filed 3/3/09	WSR 09-18-093  Hearing 10/27/09	
WAC 388-556-0600	Mental health services.	Correcting an errant WAC cross reference.	Kevin Sullivan HRSA-MA		Exempt.	WSR 09-23-075  Hearing 12/22/09	
<b>HRSA - Special Commitment Center (SCC)</b>							
Chapter 388-880 WAC	Civil commitment process of sexually violent predators.	Updating to better reflect practices and changes in chapter 71.09 RCW.	Mark Davis SCC		WSR 09-11-102  Filed 5/19/09		

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 (CR-103E)	Preproposal Notice (CR-101)	Proposed Rule (CR-102)	Permanent (Final) Rule (CR-103P)
<b>Juvenile Rehabilitation Administration (JRA)</b>							
Chapter 388-700 WAC	Juvenile rehabilitation administration—Practices and procedures.	Potential revisions due to changes in background check procedures.	David Griffith JRA		Planned for future action.		
Chapter 388-710 WAC	Consolidated juvenile services program.	Implement changes associated with the development of a new funding formula for the state funded juvenile court consolidated juvenile services programs as well as the development of a "block grant" funding mechanism.	Jeff Patnode JRA		WSR 09-15-163  Filed 7/21/09		
Chapter 388-720 WAC	Collection of costs of support, treatment and confinement of juveniles under RCW 13.40.220.	More accurately reflecting gross personal income levels used to calculate obligation to reimburse the department and current costs of institutional care for juveniles in legal custody of the department.	Lee Mosley JRA		WSR 09-01-073  Filed 12/15/08	WSR 09-19-128  Hearing 10/27/09	WSR 09-24-093  Effective 1/1/10
Chapter 388-745 WAC	Transfer of juvenile offenders to the department of corrections.	Potential revisions due to changes in transfer procedures.	David Griffith JRA		Planned for future action.		
Chapter 388-750 WAC	Impact account—Criminal justice cost.	Review for potential updates.	Ken Moses Trent Phillips JRA		Planned for future action.		
<b>Executive Programs (Exec)</b>							
<b>Exec - Division of Vocational Rehabilitation (DVR)</b>							
Chapters 388-891 388-892 WAC		(No current rule-making activity).					
<b>Exec - Management Services</b>							
Chapter 388-02 WAC	Hearing rules.	Making rules consistent with case law, facilitating timely processing of administrative hearings, promoting consistency in administrative hearing decisions, and clarifying rules.	Brian Lindgren MS-Board of appeals		WSR 08-22-051  Filed 11/3/08		

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 (CR-103E)	Preproposal Notice (CR-101)	Proposed Rule (CR-102)	Permanent (Final) Rule (CR-103P)
Chapter 388-03 WAC	Rules and regulations for the certification of DSHS spoken language interpreters and translators.	Updating references to units of DSHS (such as language interpreter services and translations, or LIST) that have been reorganized and renamed to change timeframes for DSHS mailing of letters notifying applications [applicants] of their test dates, reviewing the chapter for other necessary changes.	Don Goldsby MSA-Language testing and certification		WSR 08-12-067  Filed 6/3/08		
Chapter 388-06 WAC	Background checks.	Amending the rules to implement Initiative 1029.	Cindy LaRose MSA-Background check central unit		WSR 09-08-051  Filed 3/25/09		
<b>Exec - Office of Deaf and Hard of Hearing Services</b>							
Chapter 388-818 WAC	Deaf and hard of hearing services.		No current rule-making activity				
<b>Exec - Office of Risk Management (ORM)</b>							
Chapter 388-01 WAC	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.		
<b>Exec - Planning, Performance and Accountability (PPA)</b>							
Chapter 388-04 WAC	Protection of human research subjects.		No current rule-making activity				

**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 deadline 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-103P rule-making order**, filed under RCW 34.05.360 and 34.05.380. The CR-103P gives notice that the department is adopting final new, amended or repealed rules, completing the rule-making process. A CR-103P 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.

An **"emergency rule"** is also a **CR-103E 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 United States 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 United States 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 [the] 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 [johnsj14@dshs.wa.gov](mailto:johnsj14@dshs.wa.gov).

Stephanie Vaughn  
Rules Coordinator

### WSR 10-03-001

#### RULES COORDINATOR BELLEVUE COLLEGE

[Filed January 6, 2010, 12:40 p.m.]

Bellevue Community College changed its name to Bellevue College effective April 11, 2009. Please change the agency name in the list of agency rules coordinators as well as any other appropriate locations.

In addition, we have changed the structure of our e-mail addresses and the rules coordinator's current e-mail address is [lucinda.taylor@bellevuecollege.edu](mailto:lucinda.taylor@bellevuecollege.edu).

Lucinda Taylor  
Executive Assistant  
to the President

### WSR 10-03-003

#### NOTICE OF PUBLIC MEETINGS BELLINGHAM TECHNICAL COLLEGE

[Filed January 6, 2010, 2:01 p.m.]

The regularly scheduled meeting of the board of trustees of Bellingham Technical College will be held on Thursday, January 21, 2010, from 9:00 - 11:00 a.m., in the College Services Board Room on the Bellingham Technical College campus. Call 752-8334 for information.

### WSR 10-03-006

#### NOTICE OF PUBLIC MEETINGS DEPARTMENT OF LABOR AND INDUSTRIES (Industrial Insurance Medical Advisory Committee)

[Filed January 6, 2010, 4:20 p.m.]

To comply with chapter 42.30 RCW, the Open Public Meetings Act, this memo gives notice that the industrial insurance medical advisory committee is scheduled to meet as follows:



DATE	TIME	LOCATION
January 28, 2010	1:00 - 5:00 p.m.	Labor and Industries Tukwila Service Location 12806 Gateway Drive Seattle, WA 98168-1050

Please call Simone Javaher at (360) 902-5762 if you have any questions about these meetings.

The meeting agenda will be posted at least twenty calendar days prior to the meeting at <http://www.lni.wa.gov/ClaimsIns/Providers/Treatment/PAC/Meetings.asp?WT.svl=3>.

### WSR 10-03-007

#### AGENDA

#### EASTERN WASHINGTON UNIVERSITY

[Filed January 7, 2010, 8:29 a.m.]

#### Semi-Annual Agenda for Rules Under Development (Per RCW 34.05.314)

January 2010

1. Rule making concerning a revision to chapter 172-139 WAC, Commercial activities, will continue during the first half of 2010.

2. Rule making for a revision to chapter 172-108 WAC, Procedural rules, is anticipated during the first half of 2010.

3. Rule making for a revision to chapter 172-132 WAC, Course materials, is anticipated during the first half of 2010.

2 [4]. Rule making for a revision to WAC 172-122-300 Smoking regulations, is anticipated during the first half of 2010.

For more information concerning the above rules under review or development contact Trent Lutey, University Policy Administrator, Eastern Washington University, 214 Showalter Hall, Cheney, WA 99004, phone (509) 359-6322, fax (509) 359-7036, or e-mail [tlutey@ewu.edu](mailto:tlutey@ewu.edu).

### WSR 10-03-008

#### AGENDA

#### WESTERN WASHINGTON UNIVERSITY

[Filed January 7, 2010, 8:41 a.m.]

#### Notice of Semi-Annual Agenda for Rules Development

Pursuant to RCW 34.05.314, the following is Western Washington University's semi-annual agenda for (WAC) rules development for the term of January 1, 2010, through June 30, 2010:

**1. Chapter 516-12 WAC, Parking and traffic regulations**, rule-making amendments for Western's transportation WACs to provide better guidance for students, faculty, staff, and guests. CR-101 filed May 2006; CR-101 supplemental filed summer of 2009. Anticipate filing CR-102 winter 2010.

**2. Chapter 516-14 WAC, Appeals from parking violations**, rule-making amendments for Western's transportation WACs. Proposal to repeal this chapter and incorporate

the appeals procedures in chapter 516-12 WAC. CR-101 filed May 2006. Anticipate filing CR-102 winter 2010.

**3. Chapter 516-52 WAC, Health and safety**, rule-making amendments to comply with a state initiative adopted in 2006 that prohibits smoking in public places and workplaces. Preproposal (CR-101) to be filed by winter 2010.

**4. Chapter 516-23 WAC, Student rights and responsibilities code**, preproposal filed fall 2009.

**5. Chapter 516-09 WAC, Public records**, housekeeping amendments to WAC 516-09-020 and 516-09-030. Preproposal to be filed winter 2010.

Additional rule-making activity not on the agenda may occur as conditions warrant. For more information concerning the semi-annual agenda, please contact Suzanne Baker, Rules Coordinator, Western Washington University, 516 High Street, Bellingham, WA 98225-9015, phone (360) 650-3117, e-mail [Suzanne.Baker@wwu.edu](mailto:Suzanne.Baker@wwu.edu).

Suzanne M. Baker  
Rules Coordinator

### WSR 10-03-009

#### PROCLAMATION

#### OFFICE OF THE GOVERNOR

[Filed January 7, 2010, 8:49 a.m.]

#### PROCLAMATION BY THE GOVERNOR TERMINATING STATE OF EMERGENCY 10-01

I, Christine O. Gregoire, governor of the state of Washington, under RCW 43.06.210, terminate the following proclamation:

1. Proclamation 09-04 dated September 24, 2009, which declared a state of emergency in Chelan and Douglas Counties in the state of Washington.

Signed and sealed with the official seal of the state of Washington this 4th day of January, A.D, Two Thousand and Ten at Olympia, Washington.

By:

\_\_\_\_\_  
Christine O. Gregoire  
Governor

BY THE GOVERNOR:

\_\_\_\_\_  
Sam Reed  
Secretary of State

**WSR 10-03-012**

**NOTICE OF PUBLIC MEETINGS**

**ARTS COMMISSION**

[Filed January 8, 2010, 8:40 a.m.]

2010 SCHEDULE OF QUARTERLY MEETINGS

Please note that the dates and times listed may vary. Please check our web site for any changes that may affect this schedule at [www.arts.wa.gov](http://www.arts.wa.gov).

Monday, February 1, 2010	Convenes: 12:30 p.m. Adjourns: 5 p.m.	Coach House 211 21st Avenue S.W. Olympia, WA 98501
March 2010 exact date to be determined	Convenes (estimate): 9:30 a.m. Adjourns: 11:30 a.m.	By toll-free conference call connection information for the public to be published on arts commission web site in advance of the meeting
Wednesday, May 12, 2010	Convenes: 9 a.m. Adjourns: 4 p.m.	Location: To be determined - possibly Seattle, Washing- ton or by toll-free confer- ence call
Wednesday, August 4, 2010	Convenes: 12 p.m. Adjourns: 5 p.m.	
Thursday, August 5, 2010	Reconvenes: 8:30 a.m. Adjourns: 12:30 p.m.	Maryhill Museum of Art 35 Maryhill Museum Drive Goldendale, WA 98620 Yakima, Washington
Thursday, November 4, 2010	Convenes (estimate): 9:30 a.m. Adjourns: 11:30 a.m.	By toll-free conference call connection information for the public to be published on arts commission web site in advance of the meeting

**WSR 10-03-014**

**OFFICE OF THE GOVERNOR**

[Filed January 8, 2010, 9:06 a.m.]

Lowering of the Washington State and United States Flags

I hereby direct that Washington State and United States flags at all state agency facilities be lowered to half-staff in memory of Pierce County Deputy Kent Mundell, who died Monday, December 28, from wounds suffered in the December 21 shooting.

**Please notify your staff and all of your field offices and facilities around the state.**

Flags should remain at half-staff from today until close of business on Tuesday, January 5, 2010, or first thing Wednesday morning, January 6.

Other government entities, citizens and businesses are encouraged to join this recognition.

Please call (360) 902-0383 if you have any questions about this flag lowering.

Christine O. Gregoire  
Governor

**WSR 10-03-015**

**OFFICE OF THE GOVERNOR**

[Filed January 8, 2010, 9:06 a.m.]

Lowering of the Washington State and United States Flags

I hereby direct that Washington State and United States flags at all state agency facilities be lowered to half-staff **Monday, January 11, 2010**, in memory of Grant County Sheriff's Deputy John Bernard who was killed on duty January 3 from injuries sustained in a car accident.

**Please notify your staff and all of your field offices and facilities around the state.**

Flags should remain at half-staff until close of business on Monday, January 11, or first thing Tuesday morning, January 12.

Other government entities, citizens and businesses are encouraged to join this recognition.

Please call (360) 902-0383 if you have any questions about this flag lowering.

Christine O. Gregoire  
Governor

**WSR 10-03-016**

**NOTICE OF PUBLIC MEETINGS  
CONVENTION AND TRADE  
CENTER**

[Filed January 8, 2010, 9:08 a.m.]

A regular meeting of the Washington state convention center board of directors will be held on **Tuesday, January 19, 2010**, at 2:00 p.m. in Room 303 of the Convention Center, 800 Convention Place, Seattle.

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

**WSR 10-03-017**

**NOTICE OF PUBLIC MEETINGS  
EASTERN WASHINGTON UNIVERSITY**

[Filed January 8, 2010, 9:09 a.m.]

The Eastern Washington University board of trustees' meeting schedule for 2010 (adopted at the November 20, 2009, meeting of the board) is as follows:

Friday, January 29	2:15 p.m.	Tawanka 215 B & C
Friday, March 19	2:15 p.m.	Tawanka 215 B & C
May 19 and 20		Board of Trustees Retreat
Thursday, May 20	3:30 p.m.	Tawanka 215 B & C
Thursday, June 24	2:15 p.m.	Tawanka 215 B & C
Friday, October 8	2:15 p.m.	Tawanka 215 B & C
Friday, November 19	2:30 p.m.	Tawanka 215 B & C

Committee meetings will be held the afternoon prior to and the morning of the board meetings. Committees will not meet in May.

Executive session will be held from approximately 11:40 a.m. - 12:45 p.m. on the day of the board meetings.

If you have questions concerning this schedule, please contact Julie Thayer at (509) 359-4648.

**WSR 10-03-022**  
**INTERPRETIVE OR POLICY STATEMENT**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**

[Filed January 8, 2010, 1:35 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: Canary Notice 270: 2009 Changes to the Child Support Schedule.

Subject: 2009 changes to the child support schedule.

Effective Date: January 5, 2010.

Document Description: This canary notice (CN) explains changes to division of child support policies and procedures resulting from passage of ESHB 1794.

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://www.dshs.wa.gov/dcs/>.

**WSR 10-03-023**  
**OFFICE OF THE GOVERNOR**

[Filed January 8, 2010, 2:40 p.m.]

**NOTICE TO CODE REVISER**  
**RCW 34.05.640(3)**

Pursuant to RCW 34.05.640(3), you are hereby notified for publication in the Washington State Register that:

On December 9, 2009, the Governor's Office received a recommendation from the Joint Administrative Rules Committee to suspend adoption and implementation of the rules adopted by the State building Code Council on November 20, 2009. The Governor declined to suspend these amendments.

DATE: January 8, 2010

Narda Pierce  
General Counsel  
to the Governor

January 8, 2010

The Honorable Bob Hasegawa, Chair  
The Honorable Joel Kretz, Vice-Chair  
Joint Administrative Rules Review Committee

Post Office Box 40600  
Olympia, WA 98504-0600

Dear Representative Hasegawa and Representative Kretz:

On December 9, 2009, you sent me a letter on behalf of the Joint Administrative Rules Review Committee pursuant to RCW 34.05.640(3)(a). This letter recommends that I suspend the amendments to the State Energy Code recently approved by the Building Code Council. The only authority provided to the governor under this law is to suspend an existing rule until ninety days after the expiration of the next regular legislative session. Any suspension would expire by law on June 9, 2010. The State Energy Code amendments are not effective until July 1, 2010. Therefore, any suspension under RCW 34.05.640(3)(a) would have no effect.

Your letter notes the Committee's strong support of thoughtful and informed progress toward improved energy efficiency in our buildings, wherever practicable. The Climate Action Team recommended that the 2009 Building Code Council revisions to the State Energy Code achieve a 30 percent reduction in new building energy use. Thereafter, the Building Code Council conducted an intensive process involving numerous stakeholders, evaluated the costs and benefits of proposed changes, and made changes that took these factors into account. The amendments the Building Code Council determined would best serve the citizens of the state will generally achieve a 15 percent reduction in new building energy use. I am pleased with this incremental progress toward energy efficiency. As the 2009 Legislature found, energy efficiency "will save money, create good local jobs, enhance energy security, reduce pollution that causes global warming, and speed economic recovery while reducing the need to invest in costly new generation."

Respect for the Legislature's oversight function over agencies and programs will require the Building Code Council to provide more focused information for your review before the amendments become effective. The upcoming legislative session will provide an excellent opportunity for the Building Code Council to provide any information you need to evaluate the value and impacts of the amendments. I looking forward to working with you and other legislators as we move forward on this issue and other issues of interest to the citizens of the State of Washington.

Sincerely,  
Christine O. Gregoire  
Governor

cc: Peter DeVries, Chair, SBCC  
Jon Napier, Vice-Chair, SBCC  
Tim Nogler, Managing Director, SBCC  
Sandra Adix, SBCC, AAG  
Senator Holmquist  
Senator McCaslin  
Senator Tom  
Representative Dammeier  
Representative Kelley  
Representative Kristiansen  
Representative Ormsby

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

WSR 10-03-024
RULES COORDINATOR
CLOVER PARK
TECHNICAL COLLEGE
[Filed January 11, 2010, 8:47 a.m.]

Pursuant to RCW 34.05.312, the rules coordinator for Clover Park Technical College is Jim Tuttle, 4500 Steilacoom Boulevard S.W., Lakewood, WA 98499, office (253) 589-5533, fax (253) 589-5755, e-mail jim.tuttle@cptc.edu. John W. Walstrum, Ph.D. President

WSR 10-03-026
RULES OF COURT
STATE SUPREME COURT
[January 8, 2010]

IN THE MATTER OF THE ADOPTION ) ORDER
OF THE AMENDMENTS TO CrR 3.1(d), ) NO. 25700-A-945
JuCR 9.2(d) and CrRLJ 3.1(d) )

Justice Sanders having recommended the adoption of the proposed amendments to CrR 3.1(d), JuCR 9.2(d), and CrRLJ 3.1(d), and the Court having by the majority vote, approved the proposed amendments for publication;

Now, therefore, it is hereby ORDERED:

(a) That pursuant to the provisions of GR 9(g), the proposed amendments as attached hereto are to be published for comment in the Washington Reports, Washington Register, Washington State Bar Association and Administrative Office of the Court's websites expeditiously.

(b) The purpose statement as required by GR 9(e) is published solely for the information of the Bench, Bar and other interested parties.

(c) Comments are to be submitted to the Clerk of the Supreme Court by either U.S. Mail or Internet E-Mail by no later than 60 days from the published date. Comments may be sent to the following addresses: P.O. Box 40929, Olympia, Washington 98504-0929, or Camilla.Faulk@courts.wa.gov. Comments submitted by e-mail message must be limited to 1500 words.

DATED at Olympia, Washington this 8th day of January, 2010.

For the Court
Gerry L. Alexander
CHIEF JUSTICE

Purpose Statement for CrR 3.1, CrRLJ 3.1 and JuCR 9.2

PURPOSE: The purpose of the amendment is to ensure that a lawyer certify that he or she is in compliance with the

applicable Standards for Indigent Defense Services approved by the Supreme Court before the lawyer is appointed to represent an indigent person.

SUGGESTED RULE CHANGES

2. Suggested Rule Change to JuCR 9.2(d) JuCR 9.2 (a)-(c) [unchanged] (d) Juvenile Offense Proceedings. The court shall provide a lawyer at public expense in a juvenile offense proceeding when required by RCW 13.40.080(10), RCW 13.40.140(2), or rule 6.2.

(1) Before appointing a lawyer for an indigent person, the court shall require the lawyer to certify he or she complies with the applicable Standards for Indigent Defense Services approved by the Supreme Court.

SUGGESTED RULE CHANGES

Suggested Rule Change to CrRLJ 3.1(d) CrRLJ 3.1 (a)-(c) and (e)-(f) [unchanged] (d) Assignment of Lawyer. (1) Unless waived, a lawyer shall be provided to any person who is financially unable to obtain one without causing substantial hardship to the person or to the persons family. A lawyer shall not be denied to any person merely because his or her friends or relatives have resources adequate to retain a lawyer or because he or she has posted or is capable of posting bond.

(2) The ability to pay part of the cost of a lawyer shall not preclude assignment. The assignment of a lawyer may be conditioned upon part payment pursuant to an established method of collection.

(3) Information given by a person to assist in the determination of whether he or she is financially able to obtain a lawyer shall be under oath and shall not be available for use to the prosecution in the pending case in chief.

(4) Before appointing a lawyer for an indigent person, the court shall require the lawyer to certify he or she complies with the applicable Standards for Indigent Defense Services approved by the Supreme Court.

SUGGESTED RULE CHANGES

1. Suggested Rule Change to CrR 3.1(d) CrR 3.1 (a)-(c) and (e)-(f) [unchanged] (d) Assignment of Lawyer. (1) Unless waived, a lawyer shall be provided to any person who is financially unable to obtain one without causing substantial hardship to the person or to the persons family. A lawyer shall not be denied to any person merely because the person's friends or relatives have resources adequate to retain a lawyer or because the person has posted or is capable of posting bond.

(2) The ability to pay part of the cost of a lawyer shall not preclude assignment. The assignment of a lawyer may be conditioned upon part payment pursuant to an established method of collection.

(3) Information given by a person to assist in the determination of whether the person is financially able to obtain a lawyer shall be under oath and shall not be available for use by the prosecution in the pending case in chief.

(4) Before appointing a lawyer for an indigent person, the court shall require the lawyer to certify he or she complies with the applicable Standards for Indigent Defense Services approved by the Supreme Court.

**Reviser's note:** The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

**WSR 10-03-035**  
**NOTICE OF PUBLIC MEETINGS**  
**HOME CARE**  
**QUALITY AUTHORITY**  
 [Filed January 12, 2010, 3:42 p.m.]

**2010 BOARD MEETING SCHEDULE**  
 (Third Tuesday of even months)  
 10:00 a.m. - 3:00 p.m.

- ~~February 16, 2010~~
- Cancelled 1/12/10
- April 20, 2010
- June 15, 2010
- August 17, 2010
- October 19, 2010
- December 21, 2010

All meetings are held in the Home Care Quality Authority Board Room, Sixth Avenue Center, 4317 6th Avenue S.E., Suite 101, Lacey, WA 98506, phone (360) 493-9350, toll-free 1-866-580-4272.

**WSR 10-03-036**  
**NOTICE OF PUBLIC MEETINGS**  
**LIFE SCIENCES**  
**DISCOVERY FUND AUTHORITY**  
 [Filed January 12, 2010, 5:00 p.m.]

Please note the updated information in bold and strike out below for the life sciences discovery fund authority (agency #3560) 2010 board meetings. Note as well that we will post our public meeting agenda and any call-in information as appropriate on our web site <http://www.lsdfa.org/about/staff/meetings.html> prior to each meeting.

**2010 Public Board Meeting Dates**  
*(times are approximate and subject to change)*

Tuesday, February 9	8:30 a.m. - 5:00 p.m.	<b>Watertown Hotel</b> <b>4242 Roosevelt Way N.E.</b> <b>Seattle, WA</b>
Tuesday, February 16	10:30 a.m. - 11:00 a.m.	(via telecon)

Tuesday, April 6	8:30 a.m. - 5 p.m.	<b>Talaris Conference Center</b> <b>4000 N.E. 41st Street</b> <b>Seattle, WA</b>
Tuesday, June 1	8:30 a.m. - 5 p.m.	<b>Talaris Conference Center</b> <b>4000 N.E. 41st Street</b> <b>Seattle, WA</b>
Tuesday, July 13	8:30 a.m. - 5 p.m.	<b>Talaris Conference Center</b> <b>4000 N.E. 41st Street</b> <b>Seattle, WA</b>
Tuesday, July 20	10:30 a.m. - 11:00 a.m.	(via telecon)
<del>Tuesday, August 31</del>	<del>8:30 a.m. - 5 p.m.</del>	<del>TBD</del>
<b>Tuesday, September 14</b>	<b>8:30 a.m. - 5 p.m.</b>	<b>Talaris Conference Center</b> <b>4000 N.E. 41st Street</b> <b>Seattle, WA</b>
Tuesday, December 7	8:30 a.m. - 5 p.m.	<b>Talaris Conference Center</b> <b>4000 N.E. 41st Street</b> <b>Seattle, WA</b>
Tuesday, December 14	10:30 a.m. - 11:00 a.m.	(via telecon)

**WSR 10-03-037**  
**NOTICE OF PUBLIC MEETINGS**  
**COMMISSION ON**  
**HISPANIC AFFAIRS**  
 [Filed January 13, 2010, 8:45 a.m.]

Here are the dates for our 20010 [2010] public meetings and study sessions:

- January 22-23      Olympia Hispanic/Latino Legislative Day and Study Session
- July 23-24        Yakima
- September 23-24      Mt. Vernon (joint meeting with HUM)
- October 9-10        WA leadership conference

Please don't hesitate to call Alicia Luna on [at] (360) 725-5661 if you have any questions.

**WSR 10-03-038**

**NOTICE OF PUBLIC MEETINGS  
WASHINGTON STATE  
HISTORICAL SOCIETY**  
[Filed January 13, 2010, 8:45 a.m.]

The Washington state historical society board of trustees adopted the following meeting schedule at their meeting on September 24, 2009.

March 10, 2010	Olympia
June 19, 2010	Tacoma
September 29, 2010	Vancouver
March 3, 2011	Olympia

If you need additional information, please contact Misty Dawn Reese at (253) 798-5901.

**WSR 10-03-039**

**NOTICE OF PUBLIC MEETINGS  
RECREATION AND CONSERVATION  
OFFICE**  
(Invasive Species Council)  
[Filed January 13, 2010, 8:46 a.m.]

The next public meeting of the Washington invasive species council (WISC) will be **Thursday, February 25, 2010, from 9:00 a.m. to 3:00 p.m.** in Room 172, at the Natural Resources Building, 1111 Washington Street, Olympia, WA 98501.

For further information, please contact Rachel LeBaron Anderson, WISC, (360) 902-3012.

WISC schedules all public meetings at barrier free sites. Persons who need special assistance, such as large type materials, may contact Rachel LeBaron Anderson at the number listed above or by e-mail at Rachel.LeBaronAnderson@rco.wa.gov.

Other WISC information can be found at [www.InvasiveSpecies.wa.gov](http://www.InvasiveSpecies.wa.gov).

**WSR 10-03-040**

**NOTICE OF PUBLIC MEETINGS  
LAKE WASHINGTON  
TECHNICAL COLLEGE**  
[Filed January 13, 2010, 8:46 a.m.]

Pursuant to RCW 42.30.075, following are the approved 2010 board meeting dates for the Lake Washington Technical College board of trustees.

Study sessions begin at 5:00 p.m. in Room W302E at the college; the regular board meeting begins at 5:45 p.m. in Room W305 at the college.

**2010 BOARD MEETING DATES**

- Board meetings are held on the first Monday of the month unless otherwise noted.

- Board meetings are held on the LWTC campus located at 11605 132nd Avenue N.E., Kirkland, WA 98034.
- Study sessions are held at 5:00 p.m. in the president's conference room (W302E).
- Board meetings are held at 5:45 p.m. in the board room (W305A).
- The September board meeting will be held the second Monday of the month due to a state holiday falling on the first Monday of the month.
- No meetings are held in the months of July or August.

- January 4, 2010
- February 1, 2010
- March 1, 2010
- April 5, 2010
- May 3, 2010
- June 7, 2010
- July 2010 (no meeting)
- August 2010 (no meeting)
- September 13, 2010 (September 6 is a holiday)
- October 4, 2010
- November 1, 2010
- December 6, 2010

**WSR 10-03-045**

**AGENDA  
GAMBLING COMMISSION**  
[Filed January 14, 2010, 2:17 p.m.]

Following is the Washington state gambling commission's semi-annual rule-making agenda for publication in the Washington state register pursuant to RCW 34.05.314.

There may be additional rule-making activity not on the agenda as conditions warrant.

If you have questions about this rule-making agenda, please contact Susan Arland, Rules Coordinator, P.O. Box 42400, Olympia, WA 98504-2400, phone (360) 486-3466, fax (360) 486-3625, e-mail [Susana@wsgc.wa.gov](mailto:Susana@wsgc.wa.gov).

Semi-Annual Rule-Making Agenda  
January - June 2010

WAC	Name	CR-101 Filed	CR-102 Anticipated Filing	CR-103 Anticipated Filing
230-06-046	Card rooms adjacent to each other, prevent adjacent card rooms from [from] appearing as one large card room with more than fifteen tables.	October 6, 2009 WSR 09-20-089	January 2010 WSR 10-05	March 2010
230-14-090	Punchboard/pull-tab prizes, cash or merchandise prizes only.	November 2, 2009 WSR 09-22-073	January 2010 WSR 10-05	March 2010
230-03-050	City or county applicants, information needed form [from] them when they apply for a raffle license.	November 23, 2009 WSR 09-24-033	February 2010	April 2010
230-07-145	Nonprofits must report annual progress within one hundred twenty days and can request extension of deadline.	August 18, 2009 WSR 09-17-118	February 2010	April 2010
230-15-400 230-15-720	Accounting for player-supported jackpot funds - use online banking statements to confirm deposits of player supported jackpots funds.	November 25, 2009 WSR 09-24-064	March 2010	May 2010
230-11-065 230-11-067	Requests to offer a large scale raffle, submitting a proposed plan of operations for charitable and nonprofit.	November 23, 2009 WSR 09-24-036	March 2010	May 2010

Susan Arland  
Rules Coordinator

**WSR 10-03-047**  
INTERPRETIVE STATEMENT  
DEPARTMENT OF REVENUE

[Filed January 14, 2010, 4:27 p.m.]

INTERPRETIVE STATEMENT ISSUED

ETA 3162.2009  
**Aerospace "tooling" under SSB 6828**

SSB 6828 (chapter 81, Laws of 2008) provides a number of incentives for the aerospace industry. Several of these incentives relate to "tooling" specifically designed for use in manufacturing commercial airplanes or commercial airplane components. This excise tax advisory (ETA) addresses the department's interpretation of this term.

A copy of this ETA is available via the department's online list of *Rule and Interpretive Statements Adoptions*.

Alan R. Lynn  
Rules Coordinator

**WSR 10-03-049**  
NOTICE OF PUBLIC MEETINGS  
OFFICE OF THE STATE ACTUARY

(Select Committee on Pension Policy)

[Filed January 15, 2010, 8:39 a.m.]

2010 Meeting Schedule

SCPP Full and Executive Committee	SCPP Subgroup Meetings (As formed)
<b>January 18, 2010</b> <i>special meeting</i> Senate Hearing Room 4 9:00 a.m. - 9:45 a.m.	<b>January</b> <i>no meeting scheduled</i>
<b>January 19, 2010</b> <i>cancelled</i>	
<b>February 16, 2010</b> <i>tentative due to session</i> Time and location to be determined	<b>February</b> <i>no meeting scheduled</i>
<b>March 16, 2010</b> <i>tentative due to session</i> Time and location to be determined	<b>March</b> <i>no meeting scheduled</i>

**SCPP Full and Executive Committee**

**April 20, 2010**  
Senate Hearing Room 4  
Senate Conference Rooms A/B/C  
8:00 a.m. - 5:00 p.m.

**May 18, 2010**  
Senate Hearing Room 4  
Senate Conference Rooms A/B/C  
8:00 a.m. - 5:00 p.m.

**June 15, 2010**  
Senate Hearing Room 4  
Senate Conference Rooms A/B/C  
8:00 a.m. - 5:00 p.m.

**July 20, 2010**  
Senate Hearing Room 4  
Senate Conference Rooms A/B/C  
8:00 a.m. - 5:00 p.m.

**August**  
*no meeting scheduled*

**September 21, 2010**  
Senate Hearing Room 4  
Senate Conference Rooms A/B/C  
8:00 a.m. - 5:00 p.m.

**October 19, 2010**  
Senate Hearing Room 4  
Senate Conference Rooms A/B/C  
8:00 a.m. - 5:00 p.m.

**November 16, 2010**  
Senate Hearing Room 4  
Senate Conference Rooms A/B/C  
8:00 a.m. - 5:00 p.m.

**December 14, 2010**  
Senate Hearing Room 4  
Senate Conference Rooms A/B/C  
8:00 a.m. - 5:00 p.m.

**SCPP Subgroup Meetings (As formed)**

**April 19, 2010**  
*as needed*  
Senate Conference Rooms A/B/C  
2:00 p.m. - 4:00 p.m.

**May 17, 2010**  
*as needed*  
Senate Conference Rooms A/B/C  
2:00 p.m. - 4:00 p.m.

**June 14, 2010**  
*as needed*  
Senate Conference Rooms A/B/C  
2:00 p.m. - 4:00 p.m.

**July 19, 2010**  
*as needed*  
Senate Conference Rooms A/B/C  
2:00 p.m. - 4:00 p.m.

**August**  
*no meeting scheduled*

**September 20, 2010**  
*as needed*  
Senate Conference Rooms A/B/C  
2:00 p.m. - 4:00 p.m.

**October 18, 2010**  
*as needed*  
Senate Conference Rooms A/B/C  
2:00 p.m. - 4:00 p.m.

**November 15, 2010**  
*as needed*  
Senate Conference Rooms A/B/C  
2:00 p.m. - 4:00 p.m.

**December**  
*no meeting scheduled*

**WSR 10-03-057**  
**NOTICE OF PUBLIC MEETINGS**  
**STATE BOARD OF HEALTH**  
[Filed January 15, 2010, 11:10 a.m.]

**2010 Board/Council Meeting Schedule**

	Meeting Date	County	Location
<b>Board</b>	<b>January 13, 2010</b>	Thurston	DOH Point Plaza East Building 310 Israel Road S.E. Tumwater, WA 98501
<b>Council</b>	<b>February 4, 2010</b>	Thurston	Canceled
<b>Board</b>	<b>March 10, 2010</b>	Thurston	Great Wolf Lodge 20500 Old Highway 99 S.W. Grand Mound, WA 985311 [98531]
<b>Board</b>	<b>April 14, 2010</b>		Tentative - meet if needed
<b>Council</b>	<b>May 13, 2010</b>	King	TBD
<b>Board</b>	<b>June 9, 2010</b>	Snohomish	Everett - TBD
<b>Board</b>	<b>July 14, 2010</b>		Tentative - meet if needed
<b>Board</b>	<b>August 11, 2010</b>	TBD	TBD by 2010-11 budget
<b>Council</b>	<b>September 9, 2010</b>	Thurston	TBD
<b>Board</b>	<b>October 13, 2010</b>	TBD	TBD by 2010-11 budget
<b>Board</b>	<b>November 10, 2010</b>	TBD	TBD by 2010-11 budget
<b>Council</b>	<b>December 9, 2010</b>	King	TBD

Locations subject to change as needed - see our web site at [www.sboh.wa.gov](http://www.sboh.wa.gov) for the most current information.

**WSR 10-03-068**  
**AGENDA**  
**DEPARTMENT OF FINANCIAL INSTITUTIONS**  
[Filed January 15, 2010, 4:06 p.m.]

**Semi-Annual Agenda for Rules Under Development**  
**January 1 - June 30, 2010**

**DIVISION OF CONSUMER SERVICES**

- Chapter 208-620 WAC (Consumer Loan Act and loan originators), amendments to clarify requirements for loan modification service providers and loan servicers.
- Chapter 208-660 WAC (mortgage brokers and loan originators), amendments to clarify requirements for loan modification service providers.
- Chapters 208-680A-G WAC (escrow agents), amendments to clarify bonding requirements.

**DIVISION OF CREDIT UNIONS**

- WAC 208-418-040, complete technical amendment rule making to correct a typographical error in the fee rule.



**DIVISION OF SECURITIES**

- WAC 460-16A-205, adoption of NASAA statements of policy.
- Chapter 460-24A WAC, investment adviser rules.
- Chapter 460-33A WAC, mortgage paper securities.
- Chapter 460-82 WAC, franchise broker registration.

**WSR 10-03-076**

**NOTICE OF PUBLIC MEETINGS  
BOARD FOR VOLUNTEER  
FIREFIGHTERS AND RESERVE OFFICERS**

[Filed January 19, 2010, 9:03 a.m.]

The state board for volunteer firefighters has changed the meeting date for February 2010. The February meeting date will be Friday, February 26, 2010, instead of February 19, 2010. The meeting will be in the James R. Larson Forum Building, 605 11th Avenue S.E., Suite 112.

**WSR 10-03-077**

**NOTICE OF PUBLIC MEETINGS  
RENTON TECHNICAL COLLEGE**

[Filed January 19, 2010, 9:03 a.m.]

Pursuant to RCW 42.30.075, the Renton Technical College board of trustees' regular meetings during 2010 will be held as follows. **Please note the change below for February 2010.**

The second Tuesday of each month except for the months of July and August.

Meetings will be held at 4:00 p.m., at the Roberts Campus Center Board Room, Room 202, Renton Technical College, 3000 Northeast 4th Street, Renton, WA 98056-4195.

- January 12, 2010
- ~~February 9, 2010~~ February 16, 2010
- March 9, 2010
- April 13, 2010
- May 11, 2010
- June 8, 2010
- July/August - No regular meetings
- September 14, 2010
- October 12, 2010
- November 9, 2010
- December 14, 2010

If you need further information, please contact Karen DeBruyn at (425) 235-2426.

**WSR 10-03-078**

**NOTICE OF PUBLIC MEETINGS  
BATES TECHNICAL COLLEGE**

[Filed January 19, 2010, 9:04 a.m.]

The board of trustees of Bates Technical College has changed the starting time of its February 23, 2010, regular meeting to 1:00 p.m. Should you have any questions, please contact Vickie Lackman at (253) 680-7100.

**WSR 10-03-083**

**NOTICE OF PUBLIC MEETINGS  
BOARD ON GEOGRAPHIC NAMES**

[Filed January 19, 2010, 3:39 p.m.]

Following is the schedule of regular meetings for the Washington state board on geographic names for 2010:

Date	Time	Location
May 21, 2010	1:00 p.m. - 5:00 p.m.	Natural Resources Building 1111 Washington Street S.E. Room 172 Olympia, WA 98501
October 15, 2010	1:00 p.m. - 5:00 p.m.	Natural Resources Building 1111 Washington Street S.E. Room 172 Olympia, WA 98501

If you need further information contact Caleb Maki, P.O. Box 47030, Olympia, WA 98504, phone (360) 902-1280, fax (360) 902-1778, caleb.maki@dnr.wa.gov, <http://www.dnr.wa.gov/AboutDNR/BoardsCouncils/WBGN/Pages/Home.aspx>.

**WSR 10-03-084**

**NOTICE OF PUBLIC MEETINGS  
SOUTH PUGET SOUND  
COMMUNITY COLLEGE**

[Filed January 19, 2010, 3:41 p.m.]

The regular meeting of the board of trustees of South Puget Sound Community College District 24 that was scheduled on February 11, 2010, at 3:00 p.m., has been rescheduled to Thursday, February 4, 2010, 3:15 p.m., Boardroom, Student and Administrative Services Building # 25, South Puget Sound Community College, 2011 Mottman Road S.W., Olympia, WA 98512.

**WSR 10-03-086**

**NOTICE OF PUBLIC MEETINGS  
PUBLIC WORKS BOARD**

[Filed January 19, 2010, 4:15 p.m.]

The public works board has scheduled an emergency board meeting on Tuesday, January 26, 2010, at 3:30 p.m. -

4:30 p.m. at the Public Works Board Office, 906 Columbia Street S.W., Olympia, WA, first floor. The board members will be joined via conference call.

Please contact the public works board at (360) 725-3150 for the agenda, meeting location or any further information.

**WSR 10-03-090**  
**PUBLIC RECORDS OFFICER**  
**OFFICE OF THE GOVERNOR**  
 [Filed January 20, 2010, 8:57 a.m.]

The telephone number for the governor's office public records officer has changed since last publication of the register. Melynda Campbell's current contact information is phone (360) 902-4111, fax (360) 753-4110.

Melynda Campbell  
 Legal Affairs Coordinator

**WSR 10-03-091**  
**NOTICE OF PUBLIC MEETINGS**  
**LAW ENFORCEMENT OFFICERS' AND**  
**FIREFIIGHTERS' PLAN 2 RETIREMENT BOARD**  
 [Filed January 20, 2010, 8:57 a.m.]

The law enforcement officers' and firefighters' plan 2 retirement board has cancelled the January 27, 2010, board meeting.

The next regularly scheduled meeting is **Wednesday, February 24**, at 9:30 a.m. located in the Washington state investment board room.

Please feel free to contact Jessica Burkhart at (360) 586-2322 or by e-mail at [jessica.burkhart@leoff.wa.gov](mailto:jessica.burkhart@leoff.wa.gov) should you have any questions.

**WSR 10-03-092**  
**NOTICE OF PUBLIC MEETINGS**  
**PIERCE COLLEGE**  
 [Filed January 20, 2010, 8:57 a.m.]

Following is the 2010 regular meeting schedule for Pierce College District Eleven.

**BOARD OF TRUSTEES**  
**2010 REGULAR MEETING SCHEDULE**

The board of trustees of Community College District Number Eleven will hold their regular meetings on the second Wednesday of each month. These meetings will be open to the public and advertised accordingly (RCW 42.30.075). The chancellor shall file, with the code reviser, a schedule of the time and place of such meetings on or before January of each year for publication in the Washington state register.

DATE	TIME	LOCATION
January 13	1:00 p.m.	Pierce College Puyallup
February 10	1:00 p.m.	Pierce College Fort Steilacoom

DATE	TIME	LOCATION
March 10	1:00 p.m.	Pierce College Puyallup <i>Joint Lunch with Foundation Board</i>
April 14	1:00 p.m.	Pierce College at McChord
May 12	1:00 p.m.	Pierce College Fort Steilacoom
June 9	1:00 p.m.	Pierce College Puyallup
July 14	(if needed)	
August 11	TBA	Retreat
September 8	1:00 p.m.	Pierce College Fort Steilacoom
October 13	1:00 p.m.	Pierce College Puyallup
November 10	1:00 p.m.	Pierce College Fort Steilacoom
December	(No meeting is scheduled)	

**PLEASE NOTE:** Special meetings may be called at any time by the chairperson or a majority vote of the board. All special meetings will be publicly advertised at least twenty-four hours prior to being convened. A study session will take place at 12:30 p.m. prior to each board meeting.

**WSR 10-03-093**  
**DEPARTMENT OF ECOLOGY**  
 [Filed January 20, 2010, 9:08 a.m.]

**PUBLIC NOTICE**  
**Announcing the Draft Aquatic Mosquito Control General Permit for Review and Comment**

**The Draft Aquatic Mosquito Control General Permit:** The Washington state department of ecology (ecology) will release a draft aquatic mosquito control NPDES and state waste discharge general permit (AMCGP) on February 3, 2010. Ecology will accept written and oral comments on the draft permit, fact sheet, and notice of intent (permit coverage application) until **5 p.m., March 10, 2010**.

**Purpose of the Permit:** The purpose of the AMCGP is to permit the discharge of pollutants into waters of the state from mosquito control activities. This general permit provides coverage for discharges of larvicides and adulticides. The AMCGP authorizes discharges to waters of the state of Washington subject to the permit conditions.

**Copies of the Draft Permit:** You may download a copy of the permit, fact sheet, and notice of intent at [http://www.ecy.wa.gov/programs/wq/pesticides/final\\_pesticide\\_permits/mosquito/mosquito\\_index.html](http://www.ecy.wa.gov/programs/wq/pesticides/final_pesticide_permits/mosquito/mosquito_index.html).

You may request a copy of the permit, fact sheet, and notice of intent from Julie Robertson at (360) 407-6575 or by e-mail at [julie.robertson@ecy.wa.gov](mailto:julie.robertson@ecy.wa.gov).

**Ecology Contact:** Jon Jennings, Washington State Department of Ecology, Water Quality Program, P.O. Box 47600, Olympia, WA 98504-7600, phone (360) 407-6283, fax (360) 407-6426, e-mail [jonathan.jennings@ecy.wa.gov](mailto:jonathan.jennings@ecy.wa.gov).

**Submitting Written and Oral Comments:** Ecology will accept written and oral comments on the draft permit and fact sheet until **5 p.m., March 10, 2010**. Ecology prefers comments to be submitted by e-mail. E-mailed comments must contain the commenter's name and postal address. Comments should reference the AMCGP and specific text when possible.

Submit written comments to Jon Jennings, Mosquito Control Permit Comments, Washington State Department of Ecology, Water Quality Program, P.O. Box 47600, Olympia, WA 98504.

Submit comments by e-mail to jonathan.jennings@ecy.wa.gov.

Written comments must be postmarked no later than **5 p.m., March 10, 2010**. You must send e-mail comments before **5 p.m., March 10, 2010**. You may provide oral testimony at the public hearing.

**Hearing and Workshop:** A public hearing and workshop on the permit is scheduled to be held on **March 9, 2010, at 1 p.m.**, at the Moses Lake Fire Department, 701 East Third Avenue, Moses Lake, WA 98837. At the workshop ecology will explain the draft permit and answer questions. A hearing will immediately follow the workshop. The hearing will provide the opportunity for formal oral testimony and comments on the proposed permit.

**Issuing the Permit:** After ecology receives and considers all public comments, it will issue the final permit. If public comments cause a substantial change in the permit conditions from the original permit, another public notice of draft and comment period will occur. Ecology expects to issue the permit in the summer of 2010.

#### WSR 10-03-111

INTERPRETIVE OR POLICY STATEMENT  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES

[Filed January 20, 2010, 10:53 a.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 (DSHS).

#### Health and Recovery Services Administration (HRSA) Division of Legal Services

Document Title: # Memo 09-72.

Subject: Prescription drug program: Maximum allowable cost (MAC) update.

Effective Date: January 1, 2010.

Document Description: Effective for dates of service on and after January 1, 2010 (unless otherwise noted), DSHS will implement the following changes to the prescription drug program:

1. New additions to the MAC list;
2. Adjustments to existing MACs; and
3. A MAC deletion.

To receive a copy of the interpretive or policy statements, contact Amber Dassow, HRSA, P.O. Box 5504, phone (360) 725-1349, TDD/TTY 1-800-848-5429, fax (360) 586-9727, e-mail dassoal@dshs.wa.gov, web site <http://hrsa.dshs.wa.gov>.

#### WSR 10-03-112

INTERPRETIVE OR POLICY STATEMENT  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES

[Filed January 20, 2010, 10:53 a.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 (DSHS).

#### Health and Recovery Services Administration (HRSA) Division of Legal Services

Document Title: # Memo 09-92.

Subject: Prescription drug program: Maximum allowable cost (MAC) update.

Effective Date: February 1, 2010.

Document Description: Effective for dates of service on and after February 1, 2010 (unless otherwise noted), DSHS will implement the following changes to the prescription drug program:

1. New additions to the MAC list;
2. Adjustments to existing MACs; and
3. A MAC deletion.

To receive a copy of the interpretive or policy statements, contact Amber Dassow, HRSA, P.O. Box 5504, phone (360) 725-1349, TDD/TTY 1-800-848-5429, fax (360) 586-9727, e-mail dassoal@dshs.wa.gov, web site <http://hrsa.dshs.wa.gov>.

#### WSR 10-03-113

INTERPRETIVE OR POLICY STATEMENT  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES

[Filed January 20, 2010, 10:53 a.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.

#### Health and Recovery Services Administration (HRSA) Division of Legal Services

Document Title: # Memo 09-73.

Subject: January 1, 2010, program and fee schedule changes and procedure code updates.

Effective Date: January 1, 2010.

Document Description: FEE SCHEDULE AND POLICY UPDATES WILL BE AVAILABLE JANUARY 1, 2010!!! This memo replaces the usual DSHS/HRSA usual postcard notification of individual updated publications.

The programs which will have January 1, 2010, changes are listed on the back of this memo. Programs with no change are not listed. [No further information supplied by agency.]

To receive a copy of the interpretive or policy statements, contact Amber Dassow, HRSA, P.O. Box 5504,

phone (360) 725-1349, TDD/TTY 1-800-848-5429, fax  
(360) 586-9727, e-mail [dassoal@dshs.wa.gov](mailto:dassoal@dshs.wa.gov), web site  
<http://hrsa.dshs.wa.gov>.

**WSR 10-03-114**  
**INTERPRETIVE OR POLICY STATEMENT**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**

[Filed January 20, 2010, 10:54 a.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 (DSHS).

**Health and Recovery Services Administration (HRSA)**  
**Division of Legal Services**

Document Title: # Memo 09-71.

Subject: Synagis® (2009 - 2010 Respiratory Syncytial Virus (RSV) Season): Administration and authorization requirements.

Effective Date: December 1, 2009.

Document Description: Requirements for administration and authorized of Synagis® for 2009 - 2010 RSV season.

Effective for dates of service on and after December 1, 2009, DSHS will require providers to follow the 2009 updated guidelines established by the American Academy of Pediatrics (AAP) for the administration of Synagis®.

To receive a copy of the interpretive or policy statements, contact Amber Dassow, HRSA, P.O. Box 5504, phone (360) 725-1349, TDD/TTY 1-800-848-5429, fax (360) 586-9727, e-mail [dassoal@dshs.wa.gov](mailto:dassoal@dshs.wa.gov), web site <http://hrsa.dshs.wa.gov>.