

Washington State Register, Issue 12-09

OFFICE OF THE CODE REVISER
 Quarterly Rule-Making Report
 Covering Registers 12-01 through 12-06

Type of Activity	New	Amended	Repealed
AGRICULTURE, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	3	11	0
Number of Rules Proposed for Permanent Adoption	0	8	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	1	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	1	2	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	3	1	0
Number of Sections Adopted on the Agency's own Initiative	0	6	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	1	6	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
BELLEVUE COLLEGE			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	1	26	1
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	1	26	1
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
BUILDING CODE COUNCIL			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	1	5	0
Number of Rules Adopted as Emergency Rules	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	1	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	5	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	1	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
CRIMINAL JUSTICE TRAINING COMMISSION			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	4	0
EARLY LEARNING, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Rules Adopted as Emergency Rules	2	25	1

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Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	29	55	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	2	25	1
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	2	25	1
Number of Sections Adopted using Pilot Rule Making	0	0	0

EASTERN WASHINGTON UNIVERSITY

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	9	0	3
Number of Rules Proposed for Permanent Adoption	1	0	14
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	9	0	3
Number of Sections Adopted using Negotiated Rule Making	9	0	3
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

ECOLOGY, DEPARTMENT OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	5	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	5	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

EDUCATION, STATE BOARD OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	1	2	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	2	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	2	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

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Type of Activity	New	Amended	Repealed
EMPLOYMENT SECURITY DEPARTMENT			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	2	0
Number of Rules Adopted as Emergency Rules	2	0	0
Number of Rules Proposed for Permanent Adoption	1	12	2
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	2	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	2	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
ENTERPRISE SERVICES, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	17	0	0
Number of Rules Proposed for Permanent Adoption	0	0	15
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	17	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
ENVIRONMENTAL AND LAND USE HEARINGS OFFICE			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	10	7	29
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	4	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	10	3	2
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
EVERGREEN STATE COLLEGE, THE			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	24	0	8
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	1	0	1
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0

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Type of Activity	New	Amended	Repealed
Number of Sections Adopted on the Agency's own Initiative	1	0	1
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
FINANCIAL INSTITUTIONS, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	9	0
FINANCIAL MANAGEMENT, OFFICE OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	6	0
Number of Rules Proposed for Permanent Adoption	0	1	0
Number of Rules Withdrawn	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	6	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	6	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
FISH AND WILDLIFE, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	2	15	0
Number of Rules Adopted as Emergency Rules	42	0	33
Number of Rules Proposed for Permanent Adoption	7	34	14
Number of Sections Adopted at Request of a Nongovernmental Entity	1	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	8	0	7
Number of Sections Adopted in Order to Comply with Federal Statute	8	7	7
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	41	17	33
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
FOREST PRACTICES BOARD			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	3	0
Number of Rules Proposed for Permanent Adoption	4	9	5
Number of Sections Adopted at Request of a Nongovernmental Entity	0	1	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	1	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	1	0
Number of Sections Adopted on the Agency's own Initiative	0	1	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	2	0

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Type of Activity	New	Amended	Repealed
Number of Sections Adopted using Pilot Rule Making	0	0	0
GAMBLING COMMISSION			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	2	0
Number of Rules Withdrawn	0	5	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	2	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	2	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
HEALTH CARE AUTHORITY			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	9	0
Number of Rules Adopted as Emergency Rules	55	32	29
Number of Rules Proposed for Permanent Adoption	1	49	12
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	30	12
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	2	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	2	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	55	9	1
Number of Sections Adopted on the Agency's own Initiative	0	2	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	55	41	13
Number of Sections Adopted using Pilot Rule Making	0	0	0
HEALTH, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	25	1
Number of Rules Proposed for Permanent Adoption	3	15	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	3	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	18	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	3	1
Number of Sections Adopted on the Agency's own Initiative	0	1	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	25	1
Number of Sections Adopted using Pilot Rule Making	0	0	0
HIGHER EDUCATION COORDINATING BOARD			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	8	0
HORSE RACING COMMISSION			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	2	20	5

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Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	3	6	5
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	1	20	3
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	1	20	3
Number of Sections Adopted using Negotiated Rule Making	1	20	3
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

INSURANCE COMMISSIONER, OFFICE OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	5	22	27
Number of Rules Adopted as Emergency Rules	2	0	0
Number of Rules Proposed for Permanent Adoption	6	14	15
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	1	6	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	1	1	1
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	1	3	1
Number of Sections Adopted on the Agency's own Initiative	7	22	11
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	7	22	2
Number of Sections Adopted using Pilot Rule Making	0	0	0

LABOR AND INDUSTRIES, DEPARTMENT OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	122	67	52
Number of Rules Adopted as Emergency Rules	9	0	0
Number of Rules Proposed for Permanent Adoption	14	44	2
Number of Rules Withdrawn	4	14	0
Number of Sections Adopted at Request of a Nongovernmental Entity	99	27	52
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	112	39	52
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	111	25	52
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	20	18	0
Number of Sections Adopted on the Agency's own Initiative	111	48	52
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	32	42	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

LICENSING, DEPARTMENT OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	20	3	8
Number of Rules Proposed for Permanent Adoption	0	2	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0

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Type of Activity	New	Amended	Repealed
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	20	3	8
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	2	0
Number of Sections Adopted using Other Alternative Rule Making	0	1	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
LIQUOR CONTROL BOARD			
Type of Activity	New	Amended	Repealed
Number of Rules Adopted as Emergency Rules	1	0	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	1	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	1	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
MILITARY DEPARTMENT			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	8	8
NATURAL RESOURCES, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	1	0
Number of Rules Proposed for Permanent Adoption	0	8	26
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	1	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	1	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
OLYMPIC COLLEGE			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	1	0
PILOTAGE COMMISSIONERS, BOARD OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	8	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	8	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	8	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	8	0	0

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Type of Activity	New	Amended	Repealed
Number of Sections Adopted using Pilot Rule Making	0	0	0
PROFESSIONAL EDUCATOR STANDARDS BOARD			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	10	0
Number of Rules Proposed for Permanent Adoption	0	2	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	7	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	3	0
Number of Sections Adopted on the Agency's own Initiative	0	5	0
Number of Sections Adopted using Negotiated Rule Making	0	3	0
Number of Sections Adopted using Other Alternative Rule Making	0	4	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
PUBLIC DISCLOSURE COMMISSION			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	1	151	1
Number of Rules Adopted as Emergency Rules	0	1	0
Number of Rules Proposed for Permanent Adoption	0	2	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	1	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	1	8	0
Number of Sections Adopted on the Agency's own Initiative	0	146	1
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
PUBLIC EMPLOYMENT RELATIONS COMMISSION			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	7	14	189
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	7	14	18
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
PUBLIC INSTRUCTION, SUPERINTENDENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	4	20	3
Number of Rules Adopted as Emergency Rules	2	0	0
Number of Rules Proposed for Permanent Adoption	0	1	0
Number of Rules Withdrawn	2	0	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0

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Type of Activity	New	Amended	Repealed
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	20	3
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	2	9	0
Number of Sections Adopted on the Agency's own Initiative	1	16	3
Number of Sections Adopted using Negotiated Rule Making	0	11	2
Number of Sections Adopted using Other Alternative Rule Making	0	9	1
Number of Sections Adopted using Pilot Rule Making	0	0	0
RETIREMENT SYSTEMS, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	1	0	0
REVENUE, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	8	0
Number of Rules Adopted as Emergency Rules	3	2	0
Number of Rules Proposed for Permanent Adoption	3	5	1
Number of Rules Withdrawn	1	0	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	4	3	0
Number of Sections Adopted on the Agency's own Initiative	4	9	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
SEATTLE COMMUNITY COLLEGES			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	7	1	1
SECRETARY OF STATE			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	2	0
Number of Rules Proposed for Permanent Adoption	0	2	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	2	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	2	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	2	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
SOCIAL AND HEALTH SERVICES, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	7	54	5
Number of Rules Adopted as Emergency Rules	346	219	188
Number of Rules Proposed for Permanent Adoption	30	44	37

Washington State Register, Issue 12-09

Type of Activity	New	Amended	Repealed
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	139	15	2
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	74	71	82
Number of Sections Adopted in Order to Comply with Federal Statute	0	12	2
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	128	187	116
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	27	29	33
Number of Sections Adopted using Other Alternative Rule Making	312	241	168
Number of Sections Adopted using Pilot Rule Making	0	0	0
SOUTH PUGET SOUND COMMUNITY COLLEGE			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	18	50	7
Number of Rules Proposed for Permanent Adoption	2	7	0
Number of Sections Adopted at Request of a Nongovernmental Entity	3	4	3
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	3	4	3
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	1	0	0
Number of Sections Adopted on the Agency's own Initiative	3	4	3
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
SPOKANE, COMMUNITY COLLEGES OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	3	0
Number of Rules Proposed for Permanent Adoption	0	3	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	2	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	1	0
Number of Sections Adopted on the Agency's own Initiative	0	2	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
TRANSPORTATION IMPROVEMENT BOARD			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	20	31	31
TRANSPORTATION, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	2	0
UNIVERSITY OF WASHINGTON			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	10	0
Number of Rules Withdrawn	0	4	3
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	10	0

Washington State Register, Issue 12-09

Type of Activity	New	Amended	Repealed
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	10	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	10	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

UTILITIES AND TRANSPORTATION COMMISSION

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	16	0
Number of Rules Proposed for Permanent Adoption	4	4	8
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	16	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

WASHINGTON STATE PATROL

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	2	8	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	3	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	2	5	0
Number of Sections Adopted on the Agency's own Initiative	2	8	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

WASHINGTON STATE UNIVERSITY

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	5	0
Number of Rules Proposed for Permanent Adoption	0	6	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	5	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	1	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	4	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	5	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

Type of Activity	New	Amended	Repealed
WESTERN WASHINGTON UNIVERSITY			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	35	0	38
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	35	0	3
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	3	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	35	0	3
Number of Sections Adopted using Negotiated Rule Making	35	0	3
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
YAKIMA VALLEY COMMUNITY COLLEGE			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	0	11
TOTALS FOR THE QUARTER:			
Number of Permanent Rules Adopted	291	590	377
Number of Rules Adopted as Emergency Rules	464	280	251
Number of Rules Proposed for Permanent Adoption	136	397	207
Number of Rules Withdrawn	7	24	3
Number of Sections Adopted at Request of a Nongovernmental Entity	103	36	55
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	303	196	80
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	196	105	141
Number of Sections Adopted in Order to Comply with Federal Statute	11	41	10
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	273	314	148
Number of Sections Adopted on the Agency's own Initiative	228	338	113
Number of Sections Adopted using Negotiated Rule Making	72	65	44
Number of Sections Adopted using Other Alternative Rule Making	417	444	186
Number of Sections Adopted using Pilot Rule Making	0	0	0

WSR 12-09-001**NOTICE OF PUBLIC MEETINGS
BELLINGHAM TECHNICAL COLLEGE**

[Filed April 5, 2012, 8:19 a.m.]

The **regularly scheduled** meeting of the board of trustees of Bellingham Technical College will be held on Thursday, April 19, 2012, from 9:00 - 12:00 p.m., in the College Services Board Room on the Bellingham Technical College campus. Call 752-8334 for information.

WSR 12-09-006**INTERPRETIVE OR POLICY STATEMENT
HEALTH CARE AUTHORITY**

[Filed April 5, 2012, 10:18 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 Care Authority (HCA)
Division of Legal Services**

Document Title: Provider Notice #12-11.

Subject: Rural health clinics.

Effective Date: April 1, 2012.

Description: Specific changes to Kidney Center Services Medicaid Provider Guide include:

- Deletion of revenue code 880, which the agency no longer covers.
- Housekeeping changes related to the merger of medic-aid with HCA, including the conversion of Title 388 WAC to Title 182 WAC for WAC references.

For additional information, contact Amber Dassow, HCA, P.O. Box 45504, phone (360) 725-1349, TDD/TTY 1-800-848-5429, fax (360) 586-9727, e-mail dassoal@hca.wa.gov, web site <http://www.hca.wa.gov/>.

WSR 12-09-007

INTERPRETIVE OR POLICY STATEMENT HEALTH CARE AUTHORITY

[Filed April 5, 2012, 10:22 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 Care Authority (HCA) Legal and Administrative Services

Document Title: Provider Notice #12-18.

Subject: The medicaid program of the health care authority (the agency) will change the coverage status of Benlysta® when administered in an outpatient hospital setting.

Effective Date: April 1, 2012.

Description: **Effective for dates of service on and after April 1, 2012**, the medicaid program of the agency will change the coverage status of Benlysta® when administered in an outpatient hospital setting from noncovered to covered with prior authorization. See table below for procedure code and coverage status [no further information supplied by agency].

For additional information, contact Amber Dassow, HCA, P.O. Box 45504, phone (360) 725-1349, TDD/TTY 1-800-848-5429, fax (360) 586-9727, e-mail dassoal@hca.wa.gov, web site <http://www.hca.wa.gov/>.

WSR 12-09-009

INTERPRETIVE OR POLICY STATEMENT HEALTH CARE AUTHORITY

[Filed April 5, 2012, 10:32 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 Care Authority (HCA) Legal and Administrative Services

Document Title: Provider Notice #12-22.

Subject: Ambulatory surgery centers.

Effective Date: April 15, 2012.

Description: **Effective for dates of service on and after April 15, 2012**, the medicaid program of the health care authority (the agency) will:

- Require[ment] of prior authorization (PA) requests via Qualis Health or the agency for a select group of surgical procedure codes performed in an ambulatory surgery center (ASC);
- Update the ASCs fee schedule with prior authorization changes; and
- Continue the pilot project for the ASC setting and publish one fee schedule which incorporates both the fees for the pilot project procedure codes and their associated former groups.

For additional information, contact Amber Dassow, HCA, P.O. Box 45504, phone (360) 725-1349, TDD/TTY 1-800-848-5429, fax (360) 586-9727, e-mail dassoal@hca.wa.gov, web site <http://www.hca.wa.gov/>.

WSR 12-09-010

INTERPRETIVE OR POLICY STATEMENT HEALTH CARE AUTHORITY

[Filed April 5, 2012, 10:32 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 Care Authority (HCA) Legal and Administrative Services

Document Title: Provider Notice #12-23.

Subject: Outpatient hospitals.

Effective Date: April 1, 2012.

Description: **Effective for dates of service on and after April 1, 2012**, the medicaid program of the health care authority (the agency) will:

- Update the *Outpatient Hospital and Outpatient Prospective Payment System (OPPS) Fee Schedule* with added codes and coverage changes;
- Update changes in prior authorization requirements for certain current procedural terminology (CPT®) codes; and
- Implement a utilization review program to determine the medical necessity of emergency room use for conditions that could be treated in a primary care office or urgent care clinic.

Effective for dates of service on and after April 15, 2012, the medicaid program of the agency will require prior authorization for a select group of surgical procedure codes. Qualis Health or the agency will be conducting the medical necessity review as indicated on the fee schedule. Submitting requests for medically necessary reviews will begin April 1, 2012.

For additional information, contact Amber Dassow, HCA, P.O. Box 45504, phone (360) 725-1349, TDD/TTY 1-

800-848-5429, fax (360) 586-9727, e-mail dassoal@hca.wa.gov, web site <http://www.hca.wa.gov/>.

WSR 12-09-011**INTERPRETIVE OR POLICY STATEMENT
HEALTH CARE AUTHORITY**

[Filed April 5, 2012, 10:36 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 Care Authority (HCA)
Legal and Administrative Services**

Document Title: Provider Notice #12-20.

Subject: Authorization for al [all] leukotriene modifiers.

Effective Date: May 1, 2012.

Description: **Effective for dates of service on and after May 1, 2012**, the medicaid program of the health care authority will require authorization for all leukotriene modifiers.

For additional information, contact Amber Dassow, HCA, P.O. Box 45504, phone (360) 725-1349, TDD/TTY 1-800-848-5429, fax (360) 586-9727, e-mail dassoal@hca.wa.gov, web site <http://www.hca.wa.gov/>.

WSR 12-09-012**NOTICE OF PUBLIC MEETINGS
SHORELINE COMMUNITY COLLEGE**

[Filed April 5, 2012, 11:20 a.m.]

The Shoreline Community College board of trustees will hold a special meeting, beginning at 2:00 p.m. on Tuesday, April 10, 2012, for the purpose of meeting with a third-year appointment review committee faculty chair.

This special meeting will take place in the Central Conference Room (#1020M), Administration Building (#1000), Shoreline Community College, 16101 Greenwood Avenue North, Shoreline, WA 98133.

Please call (206) 546-4552 or e-mail Lori Y. Yonemitsu at lyonemitsu@shoreline.edu if you need further information.

WSR 12-09-013**INTERPRETIVE OR POLICY STATEMENT
HEALTH CARE AUTHORITY**

[Filed April 5, 2012, 11:21 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 Care Authority (HCA)
Legal and Administrative Services**

Document Title: Provider Notice #12-14.

Subject: Nondurable supplies and equipment, prosthetic and orthotic devices and wheelchairs, DME and supplies medicaid provider guides.

Effective Date: April 1, 2012.

Description: This guide was revised with updated instructions for providers to use the Medical Electronic Attachment, Inc. (MEA) system for submitting photos and x-rays for medical and DME requests. This change promotes consistency in this process in the agency.

For additional information, contact Amber Dassow, HCA, P.O. Box 45504, phone (360) 725-1349, TDD/TTY 1-800-848-5429, fax (360) 586-9727, e-mail dassoal@hca.wa.gov, web site <http://www.hca.wa.gov/>.

WSR 12-09-014**INTERPRETIVE OR POLICY STATEMENT
HEALTH CARE AUTHORITY**

[Filed April 5, 2012, 11:21 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 Care Authority (HCA)
Legal and Administrative Services**

Document Title: Provider Notice #12-21.

Subject: Prescription drug program—Maximum allowable costs (MAC).

Effective Date: May 1, 2012.

Description: The medicaid program of the health care authority implemented changes to MAC in the prescription drug program with most changes—additions, adjustments and deletions—effective on and after May 1, 2012, and several other MAC adjustments effective April 1, 2012.

For additional information, contact Amber Dassow, HCA, P.O. Box 45504, phone (360) 725-1349, TDD/TTY 1-800-848-5429, fax (360) 586-9727, e-mail dassoal@hca.wa.gov, web site <http://www.hca.wa.gov/>.

WSR 12-09-015**INTERPRETIVE STATEMENT
DEPARTMENT OF REVENUE**

[Filed April 5, 2012, 1:29 p.m.]

INTERPRETIVE STATEMENT ISSUED

The department of revenue has issued the following excise tax advisory (ETA): ETA 3171.2012 *Taxation of Dark Fiber (unlit fiber optic cable)*.

This ETA provides business and occupation tax and retail sales tax guidance for the taxation of "dark fiber" used in telecommunications services.

A copy of this document is available via the internet at [Recent Rule and Interpretive Statements, Adoptions, and Repeals](#).

Alan R. Lynn
Rules Coordinator

WSR 12-09-017

**INTERPRETIVE OR POLICY STATEMENT
HEALTH CARE AUTHORITY**

[Filed April 5, 2012, 2:19 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.

**Health Care Authority (HCA)
Legal and Administrative Services**

Document Title: Provider Notice 12-25.

Subject: Prior authorization requirements for selected surgical procedures.

Effective Date: April 15, 2012.

Description: **Effective for dates of service on and after January 1, 2012, until April 14, 2012**, the medicaid program of the health care authority (the agency) will change procedure codes from *noncovered* to *covered without prior authorization (PA)*:

Effective for dates of service on and after April 15, 2012, the medicaid program of the agency will update procedure codes to be *covered with PA through Qualis for clients twenty-one years of age and older*:

Effective for dates of service on and after April 15, 2012, the medicaid program of the agency will update codes to be *covered with PA through HCA for clients twenty years of age and younger*.

For additional information, contact Amber Dassow, HCA, P.O. Box 45504, phone (360) 725-1349, TDD/TTY 1-800-848-5429, fax (360) 586-9727, e-mail amber.dassow@hca.wa.gov.

WSR 12-09-023

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

[Filed April 6, 2012, 10:49 a.m.]

Notice of Interpretive or Policy Statement

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

**Aging and Disability Services Administration (ADSA)
Division of Home and Community Services**

Document Title: Public Notice.

Subject: State plan amendment (SPA) 12-016.

Effective Date: July 1, 2012.

Document Description: The ADSA of DSHS is submitting a medicaid SPA to increase the rate paid to adult family homes for medicaid clients. The increase is based upon the adjustment to the licensing fee.

To receive a copy of the interpretive or policy statements, contact Joe LaChance, Office of Rates Management, P.O. Box 45600, phone (360) 725-2445, TDD/TTY (360) 438-2637, fax (360) 725-2641, e-mail lachjl@dshs.wa.gov, web site www.adsa.dshs.wa.gov.

WSR 12-09-024

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

[Filed April 6, 2012, 11:05 a.m.]

Notice of Interpretive or Policy Statement

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

**Aging and Disability Services Administration (ADSA)
Division of Home and Community Services**

Document Title: Public Notice.

Subject: State plan amendment (SPA) 12-015.

Effective Date: July 1, 2012.

Document Description: The ADSA of DSHS is submitting a medicaid SPA to increase the rate paid to contracted adult family homes and licensed boarding homes contracted to provide assisted living, enhanced adult residential care and adult residential care services. This increase compensates providers for increased training requirements included in the passage of Initiative 1163.

To receive a copy of the interpretive or policy statements, contact Joe LaChance, Office of Rates Management, P.O. Box 45600, phone (360) 725-2445, TDD/TTY (360) 438-2637, fax (360) 725-2641, e-mail lachjl@dshs.wa.gov, web site www.adsa.dshs.wa.gov.

WSR 12-09-033

OFFICE OF THE GOVERNOR

[Filed April 11, 2012, 10:49 a.m.]

**NOTICE OF APPEAL
RCW 34.05.330(3)**

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

On February 28, 2012, the Governor's Office received an Administrative Rule Appeal from Mr. David A. Bricklin on behalf of Protect Puget Sound and Case Inlet Shoreline Association (Petitioners) regarding the Department of Ecology's denial of a petition amending to Chapter 173-26 WAC. The Governor's Office denied the Petition on April 9, 2012.

DATE: April 10, 2012

Narda Pierce
General Counsel
to the Governor

WSR 12-09-041**ATTORNEY GENERAL'S OFFICE**

[Filed April 13, 2012, 9:37 a.m.]

**NOTICE OF REQUEST FOR ATTORNEY GENERAL'S OPINION
WASHINGTON ATTORNEY GENERAL**

The Washington attorney general issues formal published opinions in response to requests by the heads of state agencies, state legislators, and county prosecuting attorneys. When it appears that individuals outside the attorney general's office have information or expertise that will assist in the preparation of a particular opinion, a summary of that opinion request will be published in the state register. If you are interested in commenting on a request listed in this volume of the register, you should notify the attorney general's office of your interest by May 9, 2012. This is not the due date by which comments must be received. However, if you do not notify the attorney general's office of your interest in commenting on an opinion request by this date, the opinion may be issued before your comments have been received. You may notify the attorney general's office of your intention to comment by calling (360) 586-0728, or by writing to the Office of the Attorney General, Solicitor General Division, Attention Jeffrey T. Even, Deputy Solicitor General, P.O. Box 40100, Olympia, WA 98504-0100. When you notify the office of your intention to comment, you may be provided with a copy of the opinion request in which you are interested; information about the attorney general's opinion process; information on how to submit your comments; and a due date by which your comments must be received to ensure that they are fully considered.

If you are interested in receiving notice of new formal opinion requests via e-mail, you may visit the attorney general's web site at www.atg.wa.gov/AGOOpinions/default.aspx for more information on how to join our opinions list-serv.

The attorney general's office seeks public input on the following opinion request(s):

Opinion Docket No. 12-04-03**Request by Senator Mike Carrell, District 28**

1. To what extent may the county commissioners of a charter county invoke RCW 36.29.090 to suspend an elected county treasurer-assessor from all or a portion of his or her duties?

2. In the context of RCW 36.29.090, what constitutes an action based upon "official misconduct" that would warrant county commissioners suspending a treasurer?

3. If a charter county may not suspend a treasurer-assessor under RCW 36.29.090, what are the constitutional limitations, if any, on the state legislature to modify laws to allow a charter county to exercise such power?

WSR 12-09-042**NOTICE OF PUBLIC MEETINGS
CONVENTION CENTER**

[Filed April 13, 2012, 9:47 a.m.]

A regular meeting of the Washington state convention center public facilities district board of directors will be held on Tuesday, April 24, 2012, at 2:00 p.m. The meeting will take place in Room 211 of the Convention Center, 800 Pike Street, Seattle.

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

WSR 12-09-043**NOTICE OF PUBLIC MEETINGS
BIG BEND
COMMUNITY COLLEGE**

[Filed April 13, 2012, 9:47 a.m.]

This notice is in accordance with RCW 42.30.075 that the board of trustees for Big Bend Community College, District No. 18, have made changes to the board meeting schedule.

The May 17, 2012, meeting is cancelled.

The June 21, 2012, meeting is moved to June 14, 2012.

WSR 12-09-051**NOTICE OF PUBLIC MEETINGS
SOUTH PUGET SOUND
COMMUNITY COLLEGE**

[Filed April 16, 2012, 2:49 p.m.]

The board of trustees of South Puget Sound Community College has changed the following regular meeting from Friday, May 11, 2012, at 3:00 p.m., at the Boardroom, Student and Administrative Services Building #25, 2011 Mottman Road S.W., Olympia, WA 98512; to Tuesday, May 15, 2012, at 3:00 p.m., at the Hawks Prairie Center, Room 118, 1401 Marvin Road N.E., Suite 200, Lacey, WA 98516.

If you need further information contact Diana Toledo, (360) 596-5206, dtoledo@spscc.ctc.edu.

WSR 12-09-065**NOTICE OF PUBLIC MEETINGS
GUARANTEED EDUCATION
TUITION PROGRAM**

[Filed April 17, 2012, 12:03 p.m.]

In accordance with RCW 28B.95.020 and WAC 14-276-030, the advanced college tuition program, known as guaranteed education tuition program, has made a few revisions to the committee meeting schedule:

Cancellation	Monday, June 11, 2012 2:00 p.m. - 4:00 p.m. Office of the Insurance Commissioner 5000 Capitol Boulevard Tumwater, WA 98501
Cancellation	Monday, August 6, 2012 2:00 p.m. - 4:00 p.m. Office of the Insurance Commissioner 5000 Capitol Boulevard Tumwater, WA 98501
Addition	Tuesday, July 24, 2012 2:00 p.m. - 4:00 p.m. Office of the Insurance Commissioner 5000 Capitol Boulevard Tumwater, WA 98501

Please contact Katie Gross if you need additional information at (360) 753-7839.

WSR 12-09-078

INTERPRETIVE OR POLICY STATEMENT HEALTH CARE AUTHORITY

[Filed April 17, 2012, 3:48 p.m.]

NOTICE OF INTERPRETIVE OR POLICY STATEMENT

Document Title: Establishment of an Emergency and Trauma Care Support Pool Under Section 1115 (a)(2) of the Social Security Act.

Subject: Supplemental payments to designated trauma hospitals and Airlift Northwest.

Effective Date: July 1, 2012.

Description: The health care authority (HCA), through its major trauma program, makes supplemental payments to trauma care providers for medicaid fee-for-service (FFS) clients who meet or exceed specified injury severity scores (ISS). Managed care plans currently do not receive supplemental payments for trauma care services provided to medicaid managed care clients. The nonfederal share of these supplemental payments is funded through the trauma care fund (TCF), a dedicated trust account established by the legislature in 1997 to support the statewide trauma care system. In addition, the Washington medicaid program provides supplemental medicaid payments through the FFS program to cover unreimbursed costs of services provided by defined major air ambulance providers - specifically, Airlift Northwest.

On July 1, 2012, a substantial number of medicaid FFS clients will be shifted to managed care, resulting in over seventy percent of medicaid clients being served under managed care. The HCA is proposing to create an emergency and trauma care support pool for the purpose of maintaining support for eligible trauma care hospitals and major air ambulance providers for services to medicaid clients, currently provided through the FFS program, as the medicaid program increasingly moves to managed care.

The HCA will amend WAC 182-550-5450 and 182-531-2000 to allow supplemental payments to trauma care provid-

ers for clients in managed care, effective with dates of service on and after July 1, 2012. Notice of this proposed action was published in the Washington State Register as WSR 12-07-074 on April 4, 2012.

The HCA will also apply to the Centers for Medicare and Medicaid Services (CMS), under the authority of Section 1115 (a)(2) of the Social Security Act, to authorize federal matching funds for the new pool for the five year period from July 1, 2012, through June 30, 2017. The HCA will request authority to receive federal medicaid matching funds for trauma supplemental payments made directly to providers through the new pool and outside the managed care capitation rate. CMS approval of this request will prevent the loss of up to \$7.5M per year in federal matching funds from the statewide trauma care system. The HCA will also ask for CMS approval to continue providing federal funding for direct supplemental payments to Airlift Northwest for emergency air ambulance transports, now through the new pool.

HCA will request from CMS the following specific authorities:

- HCA will request authority for expenditures for the emergency and trauma care support pool to be regarded as expenditures under the state's medicaid plan for the five year period.
- No specific waiver authority is necessary.

The HCA hypothesizes that the funding provided through the demonstration will enable the continued availability and effectiveness of critical trauma services and air ambulance services for medicaid beneficiaries, and will monitor the programs accordingly.

Aggregate spending on both the trauma care and air ambulance portions of the emergency and trauma care support pool will be no greater than it would have been without the demonstration. No additional state general revenue funding will be required.

Copies of the Section 1115 demonstration application will be available at HCA's web site for public review and comment. WSR 12-07-074 is available at http://www.hca.wa.gov/medicaid_laws_rules.html#hospital.

The HCA also reported and received public input on the proposal at the following public meetings:

- Title XIX advisory committee meeting in Seattle on March 23, 2012;
- Emergency medical services and trauma care steering committee meeting in Kent on March 21, 2012; and
- AIHC-HCA tribal workgroup meeting in Olympia on March 14, 2012.

For additional information, contact Sandy Stith, Hospital Finance Officer, HCA, Office of Hospital Finance, P.O. Box 45510, Olympia, WA 98504-5510, phone (360) 725-1949, TDD/TTY 1-800-848-5429, fax (360) 753-9152, e-mail sandy.stith@hca.wa.gov.

WSR 12-09-094

NOTICE OF PUBLIC MEETINGS

DEPARTMENT OF

ENTERPRISE SERVICES

(Capitol Campus Design Advisory Committee)

[Filed April 18, 2012, 11:24 a.m.]

This is to inform you that the capitol campus design advisory committee meeting scheduled for Thursday, May 24, 2012, will meet on Thursday, May 24, 2012, at 9:30 a.m., at the Department of Enterprise Services, Room 2208, 1500 Jefferson Street, Olympia, WA 98504.

If you have any questions, please contact Martin D. Casey at (360) 407-9207 or Kim M. Buccarelli at (360) 407-9312.

WSR 12-09-095

NOTICE OF PUBLIC MEETINGS

DEPARTMENT OF

ENTERPRISE SERVICES

(State Capitol Committee)

[Filed April 18, 2012, 11:24 a.m.]

This is to inform you that the state capitol committee remaining meetings for 2012 have been relocated to the Legislative Building, Senate Rules Room 220, 416 Sid Snyder Avenue S.W., Olympia, WA 98501.

If you have any questions, please contact Martin D. Casey at (360) 407-9207 or Kim Buccarelli at (360) 407-9312.