

WSR 16-16-085

AGENDA

**DEPARTMENT OF HEALTH
STATE BOARD OF HEALTH**

[Filed July 29, 2016, 1:16 p.m.]

**July 2016
Rules Agenda**

This report details current and anticipated rule-making activities for the department of health (DOH) and the state board of health (SBOH). If you have any questions regarding this report or DOH rule-making activities, please contact Tami Thompson at (360) 628-0096. If you have any questions regarding SBOH rule-making activities please contact Michelle Davis at (360) 236-4106.

This agenda is for information purposes, and the noted dates of anticipated rule-making actions are estimates. Any errors in this agenda do not affect the rules and rule-making notices filed with the office of the code reviser and published in the Washington State Register. There may be additional DOH rule-making activities that cannot be forecasted as the department initiates rule making to implement new state laws, meet federal requirements, or meet unforeseen circumstances. See the "Key" at the end of the tables for explanations of terms and acronyms.

**SBOH
Rule Making**

RCW or Session Law	Authority	WAC and Rule Title	CR-101 Filing WSR # and Date	CR-102 Filing WSR # and Date	CR-105 Filing WSR # and Date	CR-103 Filing WSR # and Date	Program Staff Contact
RCW 43.20.050 70.119A.080	SBOH	WAC 246-203-130 Keeping of animals.	09-17-132 8/19/2009	Anticipate filing 2016			Dave Delong (360) 236-4111
Chapter 69.30 RCW	SBOH	Chapter 246-282 WAC, Sanitary control of shellfish—Update to the 2015 NSSP model ordinance.	Proposal is exempt	Anticipate filing fall 2016			Michelle Austin (360) 236-3250
RCW 43.20.050	SBOH	Chapter 246-390 WAC, Drinking water laboratory certification.	06-23-077 11/13/2006	On Hold			Theresa Phillips (360) 236-3147
RCW 43.20.050	SBOH	Chapter 246-290 WAC, Group A public water supplies.	14-06-036 2/25/2014	Anticipate filing August 24, 2016			Theresa Phillips (360) 236-3147
RCW 28A.2140.020 [28A.210.020]	SBOH	WAC 246-760-001, 246-760-020, 246-760-070, 246-760-080, 246-760-090, and 246-760-100, Visual standards—School districts.	15-05-083 2/18/2015	Anticipate filing fall 2016			Sierra Rotakhina (360) 236-4106 Ellen Silverman (360) 236-3580
RCW 43.20.050	SBOH	Chapter 246-271 WAC, Public sewage.	Proposal is exempt	Anticipate filing November 2016			Vicki Bouvier (360) 236-3011

DOH

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Board of denturist[s]							
RCW 18.30.065	Board of denturist[s]	WAC 246-812-480 Sexual misconduct, proposing revisions to clarify that forcible or nonconsensual acts are within the definition of sexual misconduct.	Anticipate filing this period				Vicki Brown (360) 236-4865

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RCW 18.30.065	Board [of] dentist[s]	WAC 246-812-200, considering including legal process for the withdrawal of program approval.	Anticipate filing this period				Vicki Brown (360) 236-4865
Board of naturopathy							
RCW 18.36A.160	Board of naturopathy	Chapter 246-836 WAC considering the practice of non-surgical cosmetic procedures in naturopathic practice.	13-22-059 11/4/2013	Anticipate filing this period			Susan Gragg (360) 236-4941
RCW 18.340.020	Board of naturopathy	WAC 246-836-XXX Temporary practice permit military spouse and state-registered domestic partner eligibility and issuance.	16-12-047 5/25/2016				Susan Gragg (360) 236-4941
Board of optometry							
SSB 5293 (chapter 113, Laws of 2015)	Board of optometry	Chapter 246-851 WAC, Reauthorization of prescribing and use of hydrocodone products by licensed optometrist, to implement SSB 5293 (2015).	Proposal is exempt	16-10-123 5/4/2016		Anticipate filing this period	Loralei Walker (360) 236-4647
RCW 18.54.070(2)	Board of optometry	WAC 246-851-370 Employed doctors of optometry franchises and equipment use and agreements.	15-11-054 5/15/2015	16-10-118 5/4/2016 Supplemental proposal possible			Loralei Walker (360) 236-4647
Board of osteopathic medicine and surgery							
ESHB 2315 (chapter 71, Laws of 2014), ESHB 1424 (chapter 249, Laws of 2015)	Board of osteopathic medicine and surgery	Chapter 246-853 WAC, Osteopathic physician, developing rules on suicide assessment, treatment and management continuing education.	15-03-066 1/15/2015	Anticipate filing this period			Brett Cain (360) 236-4766
RCW 43.70.442	Board of osteopathic medicine and surgery	Chapter 246-854 WAC, Osteopathic physician assistants, developing rules on suicide assessment, treatment and management continuing education.	16-09-113 4/20/2016	Anticipate filing this period			Brett Cain (360) 236-4766
RCW 18.57.005 18.130.062 Executive Order 06-03	Board of osteopathic medicine and surgery	WAC 246-853-600 Osteopathic physicians sexual misconduct, revision to clarify forcible or nonconsensual acts.	15-03-065 1/15/2015	Anticipate filing this period			Brett Cain (360) 236-4766

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RCW 18.57.005 18.130.062 Executive Order 06-03	Board of osteopathic medicine and surgery	WAC 246-854-200 Osteopathic physicians assistant, sexual misconduct revision to clarify forcible or nonconsensual acts.	15-17-075 8/17/2015	Anticipate filing this period			Brett Cain (360) 236-4766
Board of physical therapy							
RCW 18.74.023 43.70.041	Board of physical therapy	Chapter 246-915 WAC, Physical therapists and physical therapist assistants, opening the chapter to consider general updates, revisions, and housekeeping amendments.	15-02-054 1/5/2015	Anticipate filing this period			Kris Waidely (360) 236-4847
Chiropractic quality assurance commission							
RCW 18.25.0171 18.130.050	Chiropractic quality assurance commission	WAC 246-808-XXX Independent chiropractic examinations (ICE).	15-21-047 10/16/2015				Leann Yount (360) 236-4856
RCW 18.25.0171 18.130.050	Chiropractic quality assurance commission	WAC 246-808-XXX Early remediation for technical violations, establishing criteria and protocols.	Anticipate filing this period				Leann Yount (360) 236-4856
RCW 18.25.0171 18.130.050 18.340.020	Chiropractic quality assurance commission	Chapter 246-808 WAC amending the chapter to clarify, streamline, and modernize the rules to be consistent with current rules.	15-09-027 4/7/2015 (Withdrawing filing and replacing with subject-specific CR-101)				Leann Yount (360) 236-4856
RCW 18.25.0171 18.130.050	Chiropractic quality assurance commission	WAC 246-808-010, et al, publicity and advertising, aligning rules with current law and practice standards.	Anticipate filing this period				Leann Yount (360) 236-4856
RCW 18.25.0171 18.130.050	Chiropractic quality assurance commission	WAC 246-808-105, et al, aligning rules with current law and practice standards; and adding military temporary practice permits.	Anticipate filing this period				Leann Yount (360) 236-4856
RCW 18.25.0171 18.130.050 18.340.020	Chiropractic quality assurance commission	WAC 246-808-150 Commission approved continuing education, 246-808-155, prior approval not required, and 246-808-165 Exemptions.	15-22-070 11/2/2015	Anticipate filing this period			Leann Yount (360) 236-4856
RCW 18.25.0171 18.130.050	Chiropractic quality assurance commission	WAC 246-808-320, et al, standard of care, aligning rules with current law and practice standards.	Anticipate filing this period				Leann Yount (360) 236-4856

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RCW 18.25.0171 18.130.050	Chiropractic quality assurance commission	WAC 246-808-510, et al, business practices, aligning rules with current law and practice standards.	Anticipate filing this period				Leann Yount (360) 236-4856
RCW 18.25.0171	Chiropractic quality assurance commission	WAC 246-808-545, allowing a time of service discount for patients paying at the time of their appointment.	14-22-046 10/30/2014				Leann Yount (360) 236-4856
RCW 18.25.0171 18.130.050 (1) and (12)	Chiropractic quality assurance commission	WAC 246-808-550 Future care contracts prohibited, considering revising the current rule to clarify the requirements for future care contracts.	10-06-017 2/22/2010	Anticipate filing this period			Leann Yount (360) 236-4856
Dental quality assurance commission							
RCW 18.32.002 18.32.0365 18.32.040 18.32.222	Dental quality assurance commission	WAC 246-817-160 Graduates of nonaccredited schools, clarifying clinical education and examination requirements.	15-13-134 6/17/2015	16-12-048 5/25/2016		Anticipate filing this period	Jennifer Santiago (360) 236-4893
RCW 18.32.0365 18.32.655 18.32.002	Dental quality assurance commission	WAC 246-817-340 Recording requirements for prescription drugs, expedited repeal.			16-14-102 7/5/2016	Anticipate filing this period	Jennifer Santiago (360) 236-4893
RCW 18.32.002 18.32.0357 18.32.0365 18.32.180	Dental quality assurance commission	WAC 246-817-440 Dentist continuing education (CE) requirements, clarifying requirements for renewal of a dentist license.	Anticipate filing this period				Jennifer Santiago (360) 236-4893
RCW 18.32.0365	Dental quality assurance commission	WAC 246-817-510, 246-817-520, 246-817-525, 246-817-540, and 246-817-545, expanded function dental auxiliaries (EFDA), acts that may not be performed by registered dental assistants or noncredentialed persons.	10-23-081 11/15/2010	16-09-100 4/19/2016		Anticipate filing this period	Jennifer Santiago (360) 236-4893
RCW 18.32.0365 18.32.215	Dental quality assurance commission	WAC 246-817-550, acts that may be performed by licensed dental hygienists under general supervision.	15-23-005 11/5/2015	Anticipate filing this period			Jennifer Santiago (360) 236-4893

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RCW 18.32.002 18.32.0365	Dental quality assurance commission	WAC 246-817-601, et al, infection control, updating practice standards to prevent disease transmission in oral health care.	Anticipate filing this period				Jennifer Santiago (360) 236-4893
RCW 18.32.0365 18.32.640	Dental quality assurance commission	WAC 246-817-760 Moderate sedation with parenteral agents.	16-06-105 3/1/2016	Anticipate filing this period			Jennifer Santiago (360) 236-4893
DOH							
SHB 2580 (chapter 47, Laws of 2016)	DOH	Chapter 246-XXX WAC establishing new rules on registration of blood establishments to implement SHB 2580.	16-15-009 7/7/2016				Susan Walker (253) 395-6745
RCW 43.70.040	DOH	Chapter 246-XXX WAC establishing new standards for use of epinephrine autoinjectors by employees of authorized entities, implementing SSB 6421 (2016).	Anticipate filing this period				Brett Lorentson (360) 236-4611
Chapters 43.70 18.130 18.155 34.05 RCW	DOH	Chapter 246-10 WAC, Administrative procedures— Adjudicative proceedings, a chapter review which may include: Clarification, streamlining, modernization, and implementation of ESHB 1381 (chapter 109, Laws of 2013).	14-09-019 4/7/2014	Anticipate filing this period			Tami Thompson (360) 236-4044
Chapters 43.70 18.130 18.155 34.05 RCW	DOH	Chapter 246-11 WAC, Model procedural rules for adjudicative proceedings conducted under the authority of a board or commission having disciplinary authority under the Uniform Disciplinary Act, a chapter review, which may include clarification, streamlining, and modernization of the rules.	14-09-020 4/7/2014	Anticipate filing this period			Tami Thompson (360) 236-4044

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Chapter 4, Laws of 2015	DOH	Chapter 246-70 WAC new chapter that requires rules to establish marijuana product regulations. Permanent rules will replace emergency rules that were filed under WSR 16-11-095 on 5/18/2016.	15-20-081 10/5/2015	Supplemental 16-12-058 5/26/2016 Original 16-05-079 2/16/2016		Anticipate filing this period	Medical Marijuana Program (360) 236-4819
RCW 28A.210.140 28A.210.090	DOH (delegated from SBOH)	WAC 246-105-040 Immunization of child care and school children against certain vaccine— Preventable diseases.		Anticipate filing this period			Michelle Harper (360) 236-3483
RCW 70.98.050	DOH	Chapters 246-220, 246-221, 246-222, 246-231, 246-232, 246-233, 246-235, 246-237, 246-240, 246-243, 246-244, 246-249, 246-250 and 246-252 WAC, adopting U.S. Nuclear Regulatory Commission's federal rule changes.	Exempt	Anticipate filing fall 2016		Anticipate filing early 2017	Michelle K. Austin (360) 236-3250
RCW 70.98.080	DOH	Chapter 246-226 WAC, Radiation protection—Computed tomography diagnostic X-ray systems.	13-09-041 4/11/2013	16-16-016 7/21/2016		Anticipate filing October 2016	Vicki M. Bouvier (360) 236-3011 Michelle K. Austin (360) 236-3250
RCW 70.119.050	DOH	WAC 246-292-060 Minimum education and experience for certified operator.	16-13-032 6/6/2016	On Hold			Chris McCord (360) 236-3137
RCW 43.70.235	DOH	Chapter 246-305 WAC, Certification of independent review organizations, repealing chapter and transferring the program to the insurance commissioner's office to implement HB 2326 (2016).	Proposal is exempt		Anticipate expedited proposal this period		Nancy Elliott (360) 236-4878
RCW 43.70.040 70.38.135	DOH	Chapter 246-310 WAC, Certificate of need, developing rules for home health facilities.	Anticipate filing this period				Jan Sigman (360) 236-2956
RCW 70.38.135 70.38.105	DOH	WAC 246-310-020 Certificate of need, expansion of CON approved ambulatory surgery facility operating rooms.	15-14-070 6/26/2015	Anticipate filing this period			Katherine Hoffman (360) 236-2979

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RCW 70.38.135	DOH	WAC 246-310-270 Ambulatory surgery facilities and certificate of need methodology.	15-14-084 6/26/2015				Katherine Hoffman (360) 236-2979
RCW 43.70.040 70.38.135	DOH	WAC 246-310-280 through 246-310-289, certificate of need, revising certificate of need methodology rules for kidney dialysis.	13-15-005 7/5/2013	Anticipate filing this period			Jan Sigman (360) 236-2956
RCW 43.70.040 70.38.135	DOH	WAC 246-310-290 Certificate of need, revising need methodology rules for hospice services.	Anticipate filing this period				Jan Sigman (360) 236-2956
RCW 43.70.040 70.38.135	DOH	WAC 246-310-700 through 246-310-755, certificate of need, revising certificate need rules for adult elective PCI.	Anticipate filing this period				Jan Sigman (360) 236-2956
RCW 43.70.040 70.38.135	DOH	WAC 246-310-715, 246-310-720, 246-310-725, and 246-310-745, certificate of need, revising certificate need volume standards for adult elective PCI.	16-15-010 7/7/2016				Katherine Hoffman (360) 236-2979
Chapter 70.127 RCW	DOH	Chapter 246-335 WAC, In-home services agencies, chapter review.	15-18-100 9/1/2015				John Hilger (360) 236-2929
Chapter 70.127 RCW	DOH	WAC 246-335-015 Definition of authorizing practitioner for in-home services.	Anticipate filing this period				John Hilger (360) 236-2929
RCW 71.12.670	DOH	Chapter 246-337 WAC, Residential treatment facilities, revise to align with current law and practices.	12-22-029 10/31/2012	Anticipate filing this period			Julie Tomaro (360) 236-2937
RCW 43.70.041 70.42.220	DOH	Chapter 246-388 WAC, Medical test site rules.	16-03-083 1/20/2016	16-13-057 6/10/2016		Anticipate filing this period	Susan Walker (360) 395-6745
RCW 70.225.020 70.225.040 chapter 104, Laws of 2015 chapter 64, Laws of 2016	DOH	Chapter 246-470 WAC, Prescription monitoring program, providing data access to additional entities and persons to implement SSB 5027 (2015) and SHB 2730 (2016).	Filing this period				Gary Garrety (360) 236-4802

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Chapter 70.185 RCW	DOH	Chapter 246-562 WAC, Physician J-1 visa waivers, revising rules to make consistent with current law.	13-08-019 3/26/2013	16-11-051 5/13/2016		Anticipate filing this period	Renee Fullerton (360) 236-2814
RCW 43.70.120	DOH	Chapter 246-790 WAC, Special supplemental nutrition program for women, infants, and children, establishing participate compliance standards.	16-01-103 12/16/2015	Anticipate filing this period			Margaret Hansen (360) 236-3763
Chapter 69.70 RCW	DOH	Chapter 246-801 WAC, Donated prescription drugs and supplies program.	15-22-073 11/2/2015				Andy Fernando (360) 236-4692
SHB 2488 [2448] (chapter 97, Laws of 2016) RCW 18.06.140	DOH	Chapter 246-803 WAC, East Asian practitioner, defining point injection therapy and substances administered to implement SHB 2448 (2016).	16-15-061 7/18/2016 (Replaces 13-01-093)				Vicki Brown (360) 236-4865
SSB 5488 (chapter 118, Laws of 2015)	DOH	New chapter 246-805 WAC, Credentialing requirements for certified and licensed applied behavior analysis professionals, to implement SSB 5488 (2015).	15-24-090 11/30/2015	Anticipate filing this period			Nancy Tyson (360) 236-4796
RCW 18.225.040 18.225.090	DOH	WAC 246-809-210 Definitions to licensed mental health counselors and licensed mental health counselor associates, amending approved educational program.	15-13-125 6/16/2015	Anticipate filing this period			Brad Burnham (360) 236-4912
RCW 18.225.040 43.70.442 HB 1213 (chapter 73, Laws of 2013)	DOH	Chapter 246-809 WAC, Mental health counselors, marriage and family therapists, and social workers, implementing HB 1213 regarding continuing education, other licensing standards; clarifying, repealing obsolete language.	14-16-097 8/5/2014	Anticipate filing this period			Brad Burnham (360) 236-4912

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RCW 18.19.050 43.70.442	DOH	WAC 246-810-0298 Certified counselors/advisors, continuing education (CE), updating suicide prevention CE requirement consistent with ESHB 1424 (2015).	Anticipate filing this period				Kim-Boi Shaddock (360) 236-2912
RCW 43.70.650 43.70.041	DOH	Chapter 246-814 WAC, Access to dental care for children, five year review.	15-21-046 10/16/2015				Bruce Bronoske (360) 236-4843
RCW 43.70.041 43.70.280 Chapter 18.29 RCW	DOH	Chapter 246-815 WAC, Dental hygiene, five year review.	15-20-108 10/6/2015				Vicki Brown (360) 236-4865 Bruce Bronoske (360) 236-4843
RCW 18.360.030 18.360.070	DOH	WAC 246-827-0400 Medical assistant phlebotomist, considering training requirements for law enforcement personnel who perform forensic blood draws.	16-02-070 1/4/2016				Brett Cain (360) 236-2901
RCW 18.360.030	DOH	Chapter 246-827 WAC, Medical assistants, considering recognizing an additional examination for MA-certified.	Anticipate filing this period				Brett Cain (360) 236-2901
RCW 18.108.025 18.108.085	DOH/board of massage	Chapter 246-830 WAC, Massage practitioners, chapter review to clarify, streamline and modernize the rules.	14-15-103 7/18/2014	15-22-076 11/2/2015 15-22-076 was withdrawn under 16-09-097 4/19/2016 a new CR-102 will be filed			Megan Brown (360) 236-4945
RCW 18.50.102 2SHB 1773 (chapter 187, Laws of 2014)	DOH	Chapter 246-834 WAC, Midwives, updating rules to include elements of newborn care up to two weeks of age as authorized by 2SHB 1773 (2014).	15-02-031 12/30/2014				Kathy Weed (360) 236-4883
RCW 43.70.250	DOH	WAC 246-840-990 Nursing licensing fees, amending fees to align program revenue with expenditures.	Anticipate filing this period				Sherry Thomas (360) 236-4612

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Chapters 18.51 and 18.130 RCW Executive Order 06-03	DOH	Chapter 246-843 WAC updating examination, training, licensure, continuing education and sexual misconduct rules for nursing home administrators.	15-08-070 3/31/2015	16-10-108 5/4/2016		Anticipate filing this period	Kendra Pitzler (360) 236-4723
RCW 18.55.095	DOH	Chapter 246-849 WAC, Occularists, chapter review and possible alternative apprenticeship pathways to licensure.	13-24-104 12/3/2013				Tommy Simpson (360) 236-4910
HB 2432 (chapter 42, Laws of 2016) RCW 18.130.175 43.70.250 43.70.280	DOH	WAC 246-853-990 Osteopathic fees and renewal cycle and 246-933-990 Veterinarian fees renewal cycle, amending impaired practitioner surcharges to implement HB 2432 (2016) and related fees.	Proposal is exempt under RCW 34.05.310(4)	16-14-098 7/5/2016		Anticipate filing this period	Sherry Thomas (360) 236-4612
RCW 69.50.302 43.70.250	DOH	WAC 246-907-030 Pharmaceutical licensing periods— Fees, amending fees for controlled substance researcher registration.	Proposal is exempt under RCW 34.05.310(4)	16-12-044 5/25/2016		Anticipate filing this period	Sherry Thomas (360) 236-4612
RCW 43.70.250 chapter 4, Laws of 2016 1 st sp. sess.	DOH	WAC 246-907-0301 Pharmacy assistant fees and renewal cycle, new fees to implement SB 5549 (2016).	Proposal is exempt under RCW 34.05.310(4)	Anticipate filing this period		Anticipate filing this period	Megan Mikkelsen (360) 236-4612
RCW 18.84.040 18.84.095	DOH	Chapter 246-926 WAC, Radiologic technology, military equivalency of training or experience in meeting credentialing standards.	15-05-055 2/13/2015	Anticipate filing this period			Susan Gragg (360) 236-4941
RCW 18.89.040 18.89.050	DOH	WAC 246-928-XXX, creating a new section to clarify the scope of practice regarding the administration of medications by respiratory therapists.	10-17-099 8/17/2010				Debra Fisher (360) 236-2942
RCW 18.73.081 18.73.140 70.168.050	DOH	WAC 246-976-320 Air ambulance services, considering amendments to align with federal law.	14-21-111 10/16/2014				Catie Holstein (360) 236-2830

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Chapter 18.88B RCW	DOH	WAC 246-980-140 Home care aides, adding skills acquisition to the home care aide scope of practice. Permanent rules will replace emergency rules filed under WSR 16-14-007 on 6/23/2016.	16-03-063 1/19/2016	16-10-110 5/4/2016			Stacey Saunders (360) 236-2813
Medical quality assurance commission							
ESHB 2315 (chapter 17, Laws of 2014)	Medical quality assurance commission	WAC 246-918-185 Continuing education in suicide assessment, treatment and management for physician assistants.	15-17-076 8/17/2015	16-10-106 5/4/2016			Daidria Pittman (360) 236-2727
RCW 18.71.017 18.71.002 18.130.050	Medical quality assurance commission	Chapters 246-919 and 246-918 WAC considering a new technical assistance program to address practitioner issues/deficiencies.	Anticipate filing this period				Daidria Pittman (360) 236-2727
RCW 18.71.017 18.130.075	Medical quality assurance commission	WAC 246-919-390 and 246-919-395, temporary practice permits, amending physician requirements to be consistent with current practice, modernize language, and clarify.	16-13-106 6/20/2016				Daidria Pittman (360) 236-2727
RCW 18.71.017 18.130.050 18.71.430	Medical quality assurance commission	WAC 246-919-430 (physicians) and 246-918-XXX (physician assistants), requiring additional practice information at renewal. Previously suspended under Executive Order 10-06.	09-14-114 6/30/2009	10-21-098 6/30/2009 [10/20/2010] (expired) Rule will be reviewed by the commission to determine next steps			Daidria Pittman (360) 236-2727
ESHB 2315 (chapter 17, Laws of 2014)	Medical quality assurance commission	WAC 246-919-435 Continuing education in suicide assessment, treatment and management for physicians.	14-21-030 10/6/2014	Supplemental filing anticipated this period Original 16-08-106 4/5/2016			Daidria Pittman (360) 236-2727
RCW 18.71.017	Medical quality assurance commission	WAC 246-919-601 Considering amending the criteria determining entities may accredit or certify a facility in which a physician performs a surgical procedure.	15-07-033 3/11/2015 (to be withdrawn this period)				Daidria Pittman (360) 236-2727

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Nursing care quality assurance commission							
RCW 18.79.110 18.79.150 18.79.240	Nursing care quality assurance commission	WAC 246-840-045, 246-840-090, 246-840-130, 246-840-455, and 246-840-500 through 246-840-575, practical and registered nurses, nursing education, clinical site approvals, international education refresher courses and nursing program approvals.	13-21-067 10/16/2013	16-08-043 3/30/2016		Anticipate filing this period	Mindy Schaffner (360) 236-4745
RCW 18.79.010 18.79.110 18.130.070 18.130.175	Nursing care quality assurance commission	WAC 246-840-730 and 246-840-750 through 246-840-780 and related sections regarding substance use disorder monitoring.	16-12-038 5/25/2016				Carole Reynolds (360) 236-4785
RCW 18.79.110 18.88A.060 18.79.260	Nursing care quality assurance commission	WAC 246-840-010, 246-841-400 through 246-841-595, and 246-842-100 through 246-842-210, rules may need to be revised to eliminate duplication and update nursing assistant program requirements.	16-11-087 5/17/2016				Carole Reynolds (360) 236-4785
Occupational therapy practice board							
RCW 18.59.090 18.59.130 43.70.442 18.130.062	Occupational therapy practice board	WAC 246-847-010 Definitions, 246-847-030 Consulting capacity, 246-847-055 Initial application, 246-847-065 Continued competency, 246-847-008 Expired license, 246-847-070 Inactive credential, 246-847-070, 246-847-125 applicants licensed in other states, 246-847-140 Supervised fieldwork, 246-847-210 Sexual misconduct; amending existing rules and creating new rules for military equivalence and telehealth.	15-20-072 10/2/2015				Kathy Weed (360) 236-4883

RCW or Session Law	Authority	WAC and Rule Title	CR-101 Filing WSR # and Date	CR-102 Filing WSR # and Date	CR-105 Filing WSR # and Date	CR-103 Filing WSR # and Date	Program Staff Contact
Pharmacy quality assurance commission							
RCW 18.64.005 18.130.062	Pharmacy quality assurance commission	WAC 246-860-100 Sexual misconduct, revisions to clarify that forcible or non-consensual acts are within the definition of sexual misconduct by a pharmacist, pharmacy intern, technician, or assistant.	15-24-107 12/1/2015	Supplemental filing anticipated this period Original 16-09-124 4/19/2016			Brett Lorentson (360) 236-4611
RCW 18.64.005 chapter 90, Laws of 2016	Pharmacy quality assurance commission	WAC 246-861-XXX, establishing one-time continuing education for pharmacists in suicide prevention.	Anticipate filing this period				Doreen Beebe (360) 236-4861
RCW 18.64.005 chapter 69.70 RCW ESHB 2458 (chapter 43, Laws of 2016)	Pharmacy quality assurance commission	WAC 246-865-060, 246-869-130, donation of prescription drugs, implementing chapter 69.70 RCW and ESHB 2458 (2016).	Anticipate filing this period				Richard Cieslinski (360) 236-4861
RCW 18.64.005 18.64-500	Pharmacy quality assurance commission	WAC 246-869-105 Continuity of care prescription refills during a governor-proclaimed emergency, permanent rules will replace emergency rules that were filed under WSR 16-11-002 on 5/4/2016.	16-01-156 12/21/2016	16-16-012 7/21/2016			Richard Cieslinski (306) [(360)] 236-4861
RCW 18.64.005	Pharmacy quality assurance commission	WAC 246-869-040, 246-869-190, updating the pharmacy inspection process.	15-16-024 7/27/2015				Tracy West (360) 236-4988
Chapters 18.64 18.64A RCW	Pharmacy quality assurance commission	Chapter 246-869 WAC, WAC 246-858-040, 246-863-060, 246-901-100, 246-901-120 and 246-901-130, standards for pharmacy business practices.	14-22-048 10/28/2014				Doreen Beebe (360) 236-4861
RCW 18.64.005 chapter 279, Laws of 2013	Pharmacy quality assurance commission	Chapter 246-870 WAC, Electronic transmission of prescription information.	16-12-016 5/19/2016				Doreen Beebe (360) 236-4861

RCW or Session Law	Authority	WAC and Rule Title	CR-101 Filing WSR # and Date	CR-102 Filing WSR # and Date	CR-105 Filing WSR # and Date	CR-103 Filing WSR # and Date	Program Staff Contact
RCW 18.65.005 [18.64.005]	Pharmacy quality assurance commission	Chapter 246-872 WAC, Automated drug distribution devices (repeal); and creating new chapter 246-874 WAC for pharmacy technology.	14-23-046 11/13/2014	16-15-058 7/18/2016		Anticipate filing this period	Tracy West (360) 236-4988
RCW 18.64.005 ESSB 5460 (chapter 234, Laws of 2015)	Pharmacy quality assurance commission	WAC 246-873-060 Emergency outpatient medications, implementing ESSB 5460 (2015).	16-09-099 4/19/2016	Anticipate filing this period			Doreen Beebe (360) 236-4861
RCW 18.64.005 chapter 118, Laws of 2016; chapter 234, Laws of 2015	Pharmacy quality assurance commission	Chapters 246-873 and new 246-873A WAC, Hospital pharmacy associated clinics—Standards for licensing and inspecting clinic pharmacies owned or operated by a parent hospital.	16-16-025 7/22/2016				Richard Cieslinski (360) 236-4861
RCW 69.41.080	Pharmacy quality assurance commission	WAC 246-886-180 Approved legend drugs, adding legend drugs authorized for use by the Washington department of fish and wildlife chemical capture programs.	Proposal is exempt under RCW 34.05.310(4)	Anticipate filing this period			Doreen Beebe (360) 236-4861
Chapter 18.64 RCW	Pharmacy quality assurance commission	Chapter 246-887 WAC update implementation of Uniform Controlled Substance[s] Act to include substances rescheduled/scheduled in federal regulations.			Anticipate filing this period		Doreen Beebe (360) 236-4861
RCW 18.64.005 chapter 4, Laws of 2016 1 st sp. sess.	Pharmacy quality assurance commission	WAC 246-901-080, amending pharmacy assistant credentialing rules to be consistent with SB 5549 (2016).	Proposal is exempt under RCW 34.05.310(4)	Anticipate filing this period			Katherine Hoffman (360) 236-2979
RCW 18.64.005 ESSB 6203 (chapter 148, Laws of 2016)	Pharmacy quality assurance commission	Multiple pharmacy chapters, updating rule related to long-term care pharmacy practices to implement ESSB 6203 (2016).	Anticipate filing this period				Tracy West (360) 236-4988
RCW 18.64.005 18.64A.030 18.74.410	Pharmacy quality assurance commission	Chapters 246-878, 246-871, 246-903, 246-873 WAC compounding practices.	13-11-096 5/20/2013				Tracy West (360) 236-4988

RCW or Session Law	Authority	WAC and Rule Title	CR-101 Filing WSR # and Date	CR-102 Filing WSR # and Date	CR-105 Filing WSR # and Date	CR-103 Filing WSR # and Date	Program Staff Contact
Podiatric medical board							
RCW 18.22.015 18.130.062 Executive Order 06-03	Podiatric medical board	WAC 246-919-630 Sexual misconduct, amending rule to clarify forcible or nonconsensual acts are within the definition of sexual misconduct.	15-07-066 3/16/2015	Anticipate filing this period			Brett Cain (360) 236-4766
Veterinary board of governors							
RCW 18.92.020	Veterinary board of governors	WAC 246-933-XXX, considering criteria for review of veterinary continuing education related to complimentary or alternative veterinary medicine.	14-21-010 10/2/2014	Supplemental to be filed this period Original 16-01-043 12/9/2015			Loralei Walker (360) 236-4647
RCW 18.92.030(2)	Veterinary board of governors	WAC 246-933-340 Practice management, labeling, requirements for legend drugs dispensed by a veterinarian.	15-11-056 5/15/2015	16-16-045 7/26/2016			Loralei Walker (360) 236-4647
RCW 18.92.020	Veterinary board of governors	WAC 246-933-XXX, considering requirements for veterinarians to provide a written prescription when requested.	14-20-049 9/24/2014	16-10-102 5/4/2016			Loralei Walker (360) 236-4647

KEY

CR means "code reviser" on the notice forms created by the office of the code reviser for use by all state agencies.

CR-101 is a preproposal statement of inquiry filed under RCW 34.05.310.

CR-102 is a proposed rule-making notice filed under RCW 34.05.320 or 34.05.340.

Proposal is exempt under RCW 34.05.310(4) means a rule that does not require the filing of a CR-101 notice under RCW 34.05.310(4).

CR-105 is an expedited rule-making notice filed under RCW 34.05.353. This is an accelerated rule adoption process with no public hearing required.

CR-103 is rule-making order permanently adopting a rule, and filed under RCW 34.05.360 and 34.05.380.

EMERGENCY rules are temporary rules filed under RCW 34.05.350 and 34.05.380 by using a CR-103 Rule-making order. Emergency rules may be used to meet certain urgent circumstances. These rules are effective for one hundred twenty days after the filing date, and may be extended in certain circumstances.

Blank cells in tables mean the anticipated filing date is not known at the time this rules agenda is filed.

RCW is the Revised Code of Washington.

WAC is the Washington Administrative Code.

WSR number is the Washington State Register official filing reference number given by the office of the code reviser when a notice is filed.

WSR 16-16-089
AGENDA
DEPARTMENT OF
LABOR AND INDUSTRIES
 [Filed July 29, 2016, 4:02 p.m.]

Pursuant to RCW 34.05.314, following is the department of labor and industries' semi-annual rules development agenda for July 1 through December 31, 2016.

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

Please contact Maggie Leland at (360) 902-4504 or maggie.leland@lni.wa.gov if you have any questions.

Semi-Annual Rules Development Agenda
July 1 - December 31, 2016

WAC CHAPTER(S)	RULE SUBJECT	AGENCY CONTACT	PROPOSED TIMELINE			BRIEF DESCRIPTION OF CHANGES
			CR-101	CR-102	CR-103	
Division: Division of occupational safety and health (DOSH)						
296-809	Construction confined spaces	Chris Miller DOSH Standards Program (360) 902-5516	1/5/16	9/20/16	TBD (April 2017)	Changing rule to align with the Occupational Safety and Health Administration's (OSHA) recent changes to their 29 C.F.R. 1926, Subpart AA, which covers confined space issues in construction.
296-32	Telecommunications	Chris Miller DOSH Standards Program (360) 902-5516	8/6/13	12/7/16	TBD (February 2017)	Updating current telecommunications standard and bringing it up to date with industry standards. DOSH has been working with a stakeholder group to develop draft language.
296-841, 296-307-62625	Exposure to crystalline silica	Chris Miller DOSH Standards Program (360) 902-5516	6/21/16	TBD (November 2016)	TBD	Necessary to meet recently increased OSHA requirements in the final rule on respirable crystalline silica for general industry/maritime and construction. Respirable crystalline silica is currently included in the department's air contaminant standard under chapter 296-841 WAC and WAC 296-307-62625 (and other standards that reference these requirements). As part of this rule making, the department is considering adding a new chapter specific to silica.
296-36, 296-155 Part Q	Compressed air (tunnels)	Chris Miller DOSH Standards Program (360) 902-5516	9/18/12	TBD	TBD	Rule making in response to petitions and other requests from labor and business industry stakeholders to update the compressed air work requirements in chapters 296-36 and 296-155 WAC, Part Q.

WAC CHAPTER(S)	RULE SUBJECT	AGENCY CONTACT	PROPOSED TIMELINE			BRIEF DESCRIPTION OF CHANGES
			CR-101	CR-102	CR-103	
296-54	Logging operations	Chris Miller DOSH Standards Program (360) 902-5516	11/16/10	TBD	TBD	Resuming rule-making efforts initiated in 2010 based on a petition from the logging industry. That effort was temporarily suspended, in part, for the logger safety initiative program development.
296-155	Fall protection	Chris Miller DOSH Standards Program (360) 902-5516	3/22/16	10/4/16	TBD	Correct Part C-1 in construction rule as well as becoming at-least-as-effective with recent OSHA changes.
296-155	Demolitions standards	Chris Miller DOSH Standards Program (360) 902-5516	TBD (November 2016)	TBD	TBD	Update based on non-worker fatality.
296-823, 296-27-031	Recordkeeping and reporting, phase 2	Chris Miller DOSH Standards Program (360) 902-5516	4/19/16	8/2/16	TBD	Rule making necessary to revise chapters 296-27 and 296-800 WAC to comply with changes in OSHA 29 C.F.R. Part 1904. Phase 2 will be to add bloodborne pathogens as well as recent OSHA changes to reporting requirements.
296-62-07521, 296-155-176	Lead	Chris Miller DOSH Standards Program (360) 902-5516	4/19/16	TBD	TBD	DOSH is currently holding stakeholder meetings in response to a public petition received that requested we update our lead rule to provide better protection for workers.
296-307, 296-800, 296-839, 296-901	Globally harmonized system (GHS) for hazard communication for agriculture, phase 2	Chris Miller DOSH Standards Program (360) 902-5516	CR-105 9/20/16	TBD	TBD	Correcting minor sections that were not modified during the original rule making.
296-155	Trolley lines	Chris Miller DOSH Standards Program (360) 902-5516	3/22/16	TBD	TBD	Rule making in response to a petition to amend the requirements in WAC 296-155-428 relating to the minimum clearance distance of vehicular and mechanical equipment when working around energized trolley lines.
296-32, 296-36, 296-37, 296-52, 296-59, 296-63, 296-67, 296-78, 296-79, 296-99, 296-115	eRules reformatting, phase 7	Chris Miller DOSH Standards Program (360) 902-5516	12/1/15	TBD	TBD	Seventh of ten staged filing packages to reformat all DOSH rules for easier use, clearer understanding, and greater stakeholder access.
296-65, 296-301, 296-303, 296-304, 296-803, 296-811, 296-816, 296-818, 296-824, 296-835, 296-841, 296-842, 296-863, 296-900	eRules reformatting, phase 8	Chris Miller DOSH Standards Program (360) 902-5516	5/17/16	TBD	TBD	Eighth of ten staged filing packages to reformat all DOSH rules for easier use, clearer understanding, and greater stakeholder access.

WAC CHAPTER(S)	RULE SUBJECT	AGENCY CONTACT	PROPOSED TIMELINE			BRIEF DESCRIPTION OF CHANGES
			CR-101	CR-102	CR-103	
296-62	eRules reformatting, phase 9	Chris Miller DOSH Standards Program (360) 902-5516	7/19/16	TBD	TBD	Ninth of ten staged filing packages to reformat all DOSH rules for easier use, clearer understanding, and greater stakeholder access.
296-45, 296-307	eRules reformatting, phase 10	Chris Miller DOSH Standards Program (360) 902-5516	TBD	TBD	TBD	Tenth of ten staged filing packages to reformat all DOSH rules for easier use, clearer understanding, and greater stakeholder access.
Various	Change log, phase 1	Chris Miller DOSH Standards Program (360) 902-5516	CR-105 8/23/16	TBD	TBD	Housekeeping to rules that have corrections listed in the change log that are not currently open in eRules. One or more additional packages may be filed in the future.
296-27	Recordkeeping and reporting, phase 3	Chris Miller DOSH Standards Program (360) 902-5516	8/2/16	9/20/16	TBD	Rule making needed to align with changed [changes] made by OSHA in May 2016.
Division: Field services and public safety						
296-150V	Conversion vendor units and medical units	Sally Elliott Field Services and Public Safety (360) 902-6411	TBD	TBD	TBD	The factory assembled structures (FAS) program is considering rule amendments to chapter 296-150V WAC for conversion vendor units and medical units, based upon a review of the rules. The proposed rules will adopt the latest safety code requirements and industry standards, update the existing rules, clarify the rules, and formulate housekeeping changes.
296-104	Boiler fee increase	Sally Elliott Field Services and Public Safety (360) 902-6411	5/17/16	7/5/16	8/25/16	The board of boiler rules and boiler program is considering a fiscal-growth fee increase of 4.32 percent (rounded down to the nearest tenth of a dollar) to WAC 296-104-700. The fee increase is the office of financial management's (OFM) maximum allowable fiscal-growth rate factor for fiscal year (FY) 2017 and is necessary to cover operating expenses for the programs.
296-46B	Electrical fee increase	Sally Elliott Field Services and Public Safety (360) 902-6411	7/5/16	8/23/16	11/22/16	The electrical program is considering a fiscal-growth fee increase of 4.32 percent (rounded down to the nearest tenth of a dollar) to chapter 296-46B WAC. The fee increase is OFM's maximum allowable fiscal-growth rate fac-

WAC CHAPTER(S)	RULE SUBJECT	AGENCY CONTACT	PROPOSED TIMELINE			BRIEF DESCRIPTION OF CHANGES
			CR-101	CR-102	CR-103	
						tor for FY 2017 and is necessary to cover operating expenses for the programs.
296-46B	Electrical rules	Sally Elliott Field Services and Public Safety (360) 902-6411	9/20/16	TBD	TBD	The electrical program reviews the electrical rules for additions and revisions on an annual basis to ensure the rules are consistent with the national consensus standards and industry practice. The rule making will adopt the 2017 national electrical code.
Division: Fraud prevention and labor standards						
296-14	Claim suppression	Beverly Clark Fraud Prevention and Labor Standards (360) 902-6272	TBD	TBD	TBD	The department must adopt rules defining first aid, rules defining bona fide workplace safety and accident prevention programs, and rules to implement SSB 5543 [5443].
296-127	Prevailing wage	Beverly Clark Fraud Prevention and Labor Standards (360) 902-6272	TBD	TBD	TBD	Review prevailing wage rules, which have not gone through a comprehensive review since the early 90s. Amendments will: · Reflect court decisions; · Integrate administrative policies; · Streamline current processes; · Create consistency with the statute; and · Make housekeeping changes.
296-127	Prevailing wage: Scope of work descriptions for motor shop electricians, truck drivers, and ready mix truck drivers	Beverly Clark Fraud Prevention and Labor Standards (360) 902-6272	1/5/16	7/5/16	9/20/16	Adopt scope of work descriptions for dredge workers, truck drivers, and ready mix drivers.
296-127	Prevailing wage: Scope of work description for fabricated precast concrete products	Beverly Clark Fraud Prevention and Labor Standards (360) 902-6272	TBD	TBD	TBD	The department is currently working with the prevailing wage advisory committee on the scope of work definition for fabricated precast concrete products.
296-127	Prevailing wage: Scope of work descriptions for utilities construction and laborers in utilities construction	Beverly Clark Fraud Prevention and Labor Standards (360) 902-6272	8/16/10	TBD	TBD	Repeal scope of work definitions for utilities construction and laborers in utilities construction.
296-150M	Manufactured homes	Beverly Clark Fraud Prevention and Labor Standards (360) 902-6272	TBD	TBD	TBD	Make housekeeping changes and update language for clarity and consistency.

WAC CHAPTER(S)	RULE SUBJECT	AGENCY CONTACT	PROPOSED TIMELINE			BRIEF DESCRIPTION OF CHANGES
			CR-101	CR-102	CR-103	
296-200A	Contractor certificate of registration renewals—Security—Insurance	Beverly Clark Fraud Prevention and Labor Standards (360) 902-6272	TBD	TBD	TBD	Make housekeeping changes and update language for clarity and consistency with industry practices. Clarify definitions.
Division: Insurance services						
296-14	Pension discount rate	Suzy Campbell Claims Specialty Services (360) 902-5003	11/2/16	TBD	TBD	Consider whether to reduce the current pension discount rate of 6.3 percent lower for 2017.
296-17 296-17B	2017 Workers' compensation premium rates	Jo Anne Attwood Employer Services (360) 902-4777	6/21/16	9/20/16	11/29/16	Set rates for 2017 workers' compensation insurance.
296-17A	Retail stores	Dick Bredeson Employer Services (360) 902-4985	5/17/16	8/23/16	March 2017	Consider classification changes if supported by insurance principles.
296-17 296-17A	Volunteers	Jo Anne Attwood Employer Services (360) 902-4777	4/19/16	6/21/16	9/6/16	Implement requirements of ESSB 6293.
296-17A	Tutoring, fraternities/sororities, nursing home/assisted living	Dick Bredeson Employer Services (360) 902-4985	7/19/16	12/6/16	May 2017	<ul style="list-style-type: none"> · Amend classification rules to include tutoring firms (currently not identified in classification scopes) to classification 5301 Management consulting, NOC; · Amend classification rule to move fraternities and sororities from classification 6509 with assisted living facilities to the club classification 6205; and · Distinguish nursing homes in classification 6108 from other care facilities, such [as] assisted living and group homes in classification 6509, by how the facility is licensed by DSHS.
296-17A	2016 classifications	Annie Peeples Employer Services (360) 902-4723	10/20/15	1/15/16	7/5/16	Minor noncontroversial classification and reporting rule updates for greater clarity and more equitable rating.
296-17A	Pavers	Karen Chamberlain Employer Services (360) 902-4772	TBD	TBD	TBD	Consider amending language to clarify classification of paver installation in: <ul style="list-style-type: none"> · 0217 Concrete flatwork; · 0301 Landscape construction; and · 0302 Masonry.
296-17A 296-17	Classification rule making 2017	Annie Peeples Employer Services (360) 902-4723	December 2016	TBD	TBD	Bundle a growing list of minor non-controversial classification updates for greater clarity and more equitable rating. To date the list includes classifications:

WAC CHAPTER(S)	RULE SUBJECT	AGENCY CONTACT	PROPOSED TIMELINE			BRIEF DESCRIPTION OF CHANGES
			CR-101	CR-102	CR-103	
						<ul style="list-style-type: none"> · 1102 and 2002; · 6402 and 6403; · 3902 and 3906; and · Definition of "interchange of labor."
296-17A 296-17	2017 Miscellaneous reporting and classification changes	Jo Anne Attwood Employer Services (360) 902-4777	December 2016	TBD	TBD	Updating various rules to clarify or correct misleading or obsolete language, and to implement analogy classification decisions already in practice.
296-23-245	Advanced registered nurse practitioners (ARNP) reimbursement rate (licensed nursing billing instructions)	Bob Mayer Health Services Analysis (360) 902-5021	5/31/16	7/5/16	9/20/16	Rule change will allow an update to our payment policies to eliminate the existing differential payment for ARNPs.
296-20	Lumbar fusion for uncomplicated degenerative disc disease (UDDD) within structured intensive multidisciplinary program (SIMP) rules	Jami Lifka Office of the Medical Director (360) 902-4941	5/3/16	7/19/16	10/18/16	The purpose of this rule making is to repeal the department's rules that are in conflict with a recent coverage determination by the Washington state health technology clinical committee that lumbar fusion for UDDD is no longer a covered procedure. SIMP program requirements are currently also contained within the department's fee schedules' payment policies and, other than removing the lumbar fusion for UDDD requirement, will remain in effect when the SIMP rules are repealed.
296-20	Interchangeable biological products	Jaymie Mai Office of the Medical Director (360) 902-6792 Jami Lifka Office of the Medical Director (360) 902-4941	TBD	TBD	TBD	ESB 5935 "Concerning biological products" passed during the 2015 legislative session. This bill authorizes pharmacists to substitute FDA-approved "interchangeable biological products," similar to generics, for brand biologicals. WAC 296-20-03011 will need to be amended to reflect this change. We may make this change using the expedited rule-making process.
296-15	Vocational option 2 benefits	James Nylander Self-Insurance (360) 902-6907	10/6/15	8/2/16	10/18/16	This rule making changes an existing rule, to allow a longer period of time for workers who are eligible for vocational retraining to decline further vocational services and instead select vocational option 2 benefits. This will align the rule with recent statutory changes.

WAC CHAPTER(S)	RULE SUBJECT	AGENCY CONTACT	PROPOSED TIMELINE			BRIEF DESCRIPTION OF CHANGES
			CR-101	CR-102	CR-103	
296-15	Medical bill electronic data interchange	James Nylander Self-Insurance (360) 902-6907	4/19/16	TBD	TBD	The department and the self-insured employer community have agreed to partner in the development of a self-insurance risk analysis system. One component of this system will feature the collection of medical bill data using an electronic data interchange. Existing rules must be modified, and a new rule adopted, in order to make reporting requirements clear and to ensure a uniform standard of reporting is established.
296-15	Certified claims administrators and continuing education requirements	James Nylander Self-Insurance (360) 902-6907	TBD	TBD	TBD	The department is considering changes to these rules to make them more effective in meeting the goals of the self-insurance continuing education program.
296-15	Self-insurance second injury fund	James Nylander Self-Insurance (360) 902-6907	TBD	TBD	TBD	This rule making will provide a definition of fund balance, establish a reserve set-aside factor, and clarify the method for calculating over-collection or under-collection.

Maggie Leland
Rules Coordinator
Senior Policy Advisor

WSR 16-17-002
NOTICE OF PUBLIC MEETINGS
BELLINGHAM TECHNICAL COLLEGE

[Filed August 3, 2016, 4:54 p.m.]

Amended Notice
Associated Students Executive Team
Regular Meeting Schedule
2016

Pursuant to RCW 42.30.075, the Bellingham Technical College ASBTC executive team's regular meetings during 2016 will be held every Wednesday of each month, except where indicated, beginning January 6. All meetings will begin at 3:30 p.m. in the College Services Board Room, unless indicated otherwise, at Bellingham Technical College, 3028 Lindbergh Avenue, Bellingham, WA 98225:

- January 6, 13, 20, 27, 2016
(January meetings held in Campus Center 300)
- February 3, 10, 17, 24, 2016
(February 3 meeting held in CC300; February 10 and 17 meetings are in CC233)
- March 2, 9, 16, 23, 30, 2016
(March 2 and 16 meetings are in CC233)

- April 6, 13, 20, 27, 2016
- May 4, 11, 18, 25, 2016
- June 1, 8, 15, 22, 2016
- July 13 and 27, 2016
- August 10 and 24, 2016
- September 7, 14, 21, 28, 2016
- October 5, 19, 2016
(October 5 meeting in CC300)
- November 2, 16, 30, 2016
(November 2 meeting in CC300)

If you have questions, please contact Melisa Nelson at (360) 752-8443 or e-mail mnelson@btc.edu.

WSR 16-17-007
NOTICE OF PUBLIC MEETINGS
CENTRAL WASHINGTON UNIVERSITY

[Filed August 4, 2016, 12:17 p.m.]

Regular meetings of the Central Washington University board of trustees will be held at 9:00 a.m. in Barge Hall,

Room 412, on the Central Washington University Ellensburg campus, except where noted, on the following dates:

- October 21, 2016
- January 27, 2017
- March 31, 2017
- May 19, 2017
- July 20 and 21, 2017 (Annual Planning Retreat)

Board	Wednesday November 9, 2016	Red Lion Hotel Columbia Room 802 George Washington Way Richland, WA 99352
Council	Wednesday December 14, 2016	Department of Health (or location TBD) Point Plaza East Room 152/153 310 Israel Road S.E. Tumwater, WA 98501

Start time is 9:30 a.m. unless otherwise specified. Time and locations subject to change as needed. See our web sites at <http://sboh.wa.gov/> and/or <http://healthequity.wa.gov/> for the most current information.

If you need further information, please contact Melanie Hisaw, Executive Assistant, Washington State Board of Health, P.O. Box 47990, Olympia, WA 98504-7990, phone (360) 236-4104, fax (360) 236-4088, Melanie.hisaw@sboh.wa.gov.

**WSR 16-17-010
NOTICE OF PUBLIC MEETINGS
STATE BOARD OF HEALTH**

(Governor's Interagency Council on Health Disparities)
[Filed August 4, 2016, 2:15 p.m.]

In accordance with the Open Public Meetings Act (chapter 42.30 RCW), and the Administrative Procedures [Procedure] Act (chapter 34.05 RCW), the following is the updated schedule of public meetings for the Washington state board of health (board), and the governor's interagency council on health disparities (council) for 2016. The board and council meetings are open to the public. We encourage the public to take time to testify on any matter that may come before the board or council.

Agendas for the meetings listed below are made available in advance via listserv and the board and council web sites (see below). Every attempt is made to ensure that the agenda is up-to-date. However, the board and council reserve the right to change or amend agendas at the meeting. If you require special accommodations while attending board or council meetings, please contact Melanie Hisaw five to seven days in advance of the meeting.

2016 Board/Council Meeting Schedule

- Approved by the Board November 19, 2015/Update
Approved March 9, 2016
- Approved by the Council December 9, 2015/Update
Approved May 11, 2016

Board	Wednesday August 10, 2016	Capitol Campus John L. O'Brien Building HHRE 504 15 th Avenue S.W. Olympia, WA 98501
Council	Thursday September 15, 2016	University of Puget Sound (UPS) 1500 North Warner Tacoma, WA 98416 Wheelock Student Union The Rotunda Best for GPS Intersection of North 15th Street and North Alder Street
Board	Wednesday October 12, 2016	Red Lion Hotel Rainier Room 18220 International Boulevard Seattle, WA 98188

WSR 16-17-012

**RULES COORDINATOR
EASTERN WASHINGTON UNIVERSITY**

[Filed August 4, 2016, 4:42 p.m.]

Pursuant to RCW 34.05.312, the rules coordinator for the Eastern Washington University is Chelsea Lamberson, Office of the President, 214 Showalter Hall, Cheney, WA 99004, phone (509) 359-6322, fax (509) 359-7036, clamberson@ewu.edu.

Catherine Moss
Executive Assistant
to the President

WSR 16-17-014

**NOTICE OF APPEAL
OFFICE OF THE GOVERNOR**

[Filed August 5, 2016, 10:36 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 August 4, 2016, the Governor's Office received an appeal from Ted Hunter relating to the Washington State Department of Transportation's denial of a petition for rulemaking regarding least cost planning requirements for regional transportation proposals. The Governor's Office advised Mr. Hunter that it lacked jurisdiction to hear his appeal on August 5, 2016.

DATE: August 5, 2016

Taylor K. Wonhoff
Deputy General Counsel
to the Governor

WSR 16-17-029
AGENDA
STATE BOARD OF EDUCATION
 [Filed August 8, 2016, 2:56 p.m.]

Semi-Annual Rule-Making Agenda

The following is the Washington state board of education's rule-making agenda for July 31, 2016, through January 31, 2017, submitted pursuant to RCW 34.05.314. There may be additional rule-making activity as conditions warrant.

If you have any questions about this rule-making agenda, please contact Jack Archer, P.O. Box 47206, Olympia, WA 98504, phone (360) 725-6035, e-mail jack.archer@k12.wa.us.

WAC Citation	Subject Matter	Preproposal (CR-101)	Proposed (CR-102) or Expedited (CR-105)	Permanent (CR-103)
180-51-115	Procedures for granting high school credits for students with special educational needs.	WSR 13-17-077	WSR 16-16-126	
180-18-055	Alternative high school graduation requirements.	WSR 16-13-056	WSR 16-16-127	
180-105	Performance improvement goals.	WSR 16-04-078		
180-19	Charter schools.	WSR 16-09-029		

WSR 16-17-035
NOTICE OF PUBLIC MEETINGS
STATE INDEPENDENT
LIVING COUNCIL
 [Filed August 9, 2016, 10:01 a.m.]

The following is the schedule of regular meetings for the Washington state independent living council (SILC) for 2015.

Date	Time	Location
October 6, 2016	9 a.m. - 4 p.m.	Best Western Chieftain Inn 1017 North Wenatchee Avenue Wenatchee, WA 98801
October 7, 2016	9 a.m. - 2 p.m.	Best Western Chieftain Inn 1017 North Wenatchee Avenue Wenatchee, WA 98801

ASL interpreters will be available upon request. For other accommodation requests, please contact SILC at 800-624-4105.

SILC is appointed by the governor to guide development of and promote access to independent living services for individuals with disabilities statewide. The council works to increase opportunities for self-determination and empowerment of people with disabilities, and to create awareness of people with disabilities as a valuable human resource. We welcome your feedback concerning your experiences and concerns.

If you need further information contact SILC, 800-624-4105.

WSR 16-17-037
NOTICE OF PUBLIC MEETINGS
COMMUNITY COLLEGES
OF SPOKANE
 [Filed August 9, 2016, 12:30 p.m.]

The board of trustees of Washington State Community College District 17 (Community Colleges of Spokane) has changed the following regular meeting:

From: Tuesday, November 15, 2016, 3305 West Fort George Wright Drive, Spokane, WA.

To: Friday, November 4, 2016, 3305 West Fort George Wright Drive, Spokane, WA.

If you need further information contact Linda Graham, Community Colleges of Spokane, 501 North Riverpoint Boulevard, Spokane, WA 99217, phone (509) 434-5006, fax (509) 434-5025, e-mail linda.graham@ccs.spokane.edu.

WSR 16-17-041
NOTICE OF PUBLIC MEETINGS
PUBLIC WORKS BOARD
 [Filed August 9, 2016, 3:50 p.m.]

NOTICE OF REVISION TO PUBLIC MEETINGS 2016

The public works board will be holding regularly scheduled meetings on the following dates at 9:00 a.m.:

January 22, 2016	Cancelled
February 5, 2016	Start time 8:00 a.m.
March 4, 2016	Cancelled
March 18, 2016	New date
April 1, 2016	
May 6, 2016	

June 3, 2016	Cancelled
June 10, 2016	New date
July 8, 2016	
August 5, 2016	Cancelled
August 12, 2016	New date
August 19, 2016	Cancelled
September 8, 2016	Board retreat
September 9, 2016	Business meeting
October 7, 2016	New date
October 20, 2016	Cancelled
November 4, 2016	
December 2, 2016	

Please contact the public works board at (360) 725-2744 for any further information.

WSR 16-17-045
NOTICE OF PUBLIC MEETINGS
HEALTH CARE AUTHORITY
 (Public Employees Benefits Board)
 [Filed August 11, 2016, 11:06 a.m.]

2017 Meeting Schedule

The public employees benefits board meetings will be held at the Health Care Authority, Sue Crystal Center, Rooms A & B, 626 8th Avenue S.E., Olympia, WA 98501. The meetings begin at 1:30 p.m., unless otherwise noted below:

January 17, 2017 (Board Retreat)	10:00 a.m. - 4:00 p.m.
March 16, 2017	
April 12, 2017	
May 18, 2017	
June 21, 2017	
July 12, 2017	
July 19, 2017	
July 27, 2017	

If you are a person with a disability and need a special accommodation, please contact Connie Bergener at (360) 725-0856.

WSR 16-17-046
HEALTH CARE AUTHORITY
 [Filed August 11, 2016, 12:57 p.m.]

NOTICE

Title or Subject: Medicaid State Plan Amendment (SPA) 16-0018 Third Party Liability.
 Effective Date: January 1, 2017.

Description: The health care authority (HCA) intends to submit medicaid SPA 16-0018 in order to clarify that clients will no longer be exempt from enrollment into managed care based solely on the presence of creditable third party liability (TPL) health insurance. HCA continues to move toward value-based purchasing and a managed care business model. Beginning January 1, 2017, HCA will delegate TPL recovery and cost avoidance activities for these clients to the managed care organizations (MCO). MCOs will be responsible for TPL identification, coordinating benefits, and performing recovery activities from a liable primary health insurance carrier to ensure the MCO plan (delegated by the state medicaid agency) is the payer of last resort.

SPA 16-0018 is expected to have no effect on the annual aggregate expenditures for providers. Overall costs to MCOs are anticipated to neither increase nor decrease; any expenditure caused by an increase in the number of clients for whom MCOs coordinate benefits should be offset by an increase in recovery amounts.

A copy of SPA 16-0018 is available for review. HCA would appreciate any input or concerns regarding this SPA. To request a copy of the SPA or submit comments, please contact Mark Benya, Coordination of Benefits, 626 8th Avenue S.E., phone (360) 725-1891, TDD/TTY 1-800-848-5429, fax (360) 586-3005, e-mail mark.benya@hca.wa.gov (please note that all comments are subject to public review and disclosure, as are the names of those who comment).

WSR 16-17-057
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
LABOR AND INDUSTRIES
 [Filed August 12, 2016, 3:24 p.m.]

Under RCW 34.05.230, following is one policy and interpretive statement issued and one policy and interpretive statement repealed by the department of labor and industries, insurance services division.

If you have any questions or need additional information, please contact Maggie Leland, rules coordinator at (360) 902-4504.

Title: Policy 61.06 - *Workers' Compensation Insurance Coverage for Volunteers*.

Date Issued: August 1, 2016.

Description: This policy was amended to incorporate new legislation by removing obsolete language and replacing with current information. ESSB 6293 created a new reporting option for employers who cover their volunteers for medical only workers' compensation. The new law also expands eligibility for medical only coverage to a larger group of individuals. Labor and industries adopted emergency rules to implement these changes effective June 9, 2016, with permanent rule making to become effective October 7, 2016.

Contact: Suzy Campbell, 7273 Linderson Way, Tumwater, WA 98501, mailstop 4250, (360) 902-5003, Suzanne.campbell@lni.wa.gov.

Title: Policy 61.24 - *Requirements for Student Interns.*

Repeal Date: August 1, 2016.

Description: This policy is obsolete because of a new law. ESSB 6293 created a new reporting option for employers who cover their volunteers for medical only workers' compensation. The new law also expands eligibility for medical only coverage to a larger group of individuals. Labor and industries adopted emergency rules to implement these changes effective June 9, 2016, with permanent rule making to become effective October 7, 2016. The policy has been deleted effective August 1, 2016.

Contact: Suzy Campbell, 7273 Linderson Way, Tumwater, WA 98501, mailstop 4250, (360) 902-5003, Suzanne.campbell@lni.wa.gov.

Maggie A. Leland
Rules Coordinator
Policy Director

WSR 16-17-068

CLEMENCY AND PARDONS BOARD

[Filed August 16, 2016, 11:27 a.m.]

**Notice of Quarterly Hearing
(Revision 1)**

The Washington state clemency and pardons board hereby gives notice of its quarterly hearing scheduled for September 9, 2016, at 10:00 a.m., in House Hearing Room A, of the John L. O'Brien Building, Olympia, Washington¹. The following petitions will be considered by the board²:

¹Please note that all board hearings are recorded by a court reporter, open to the public, and broadcast on the state public affairs network, TVW.

²At the board's discretion, the order of the petitions to be called for hearing is subject to change.

Petitioner:	Relief Requested:
Rodgers, Curtis W.	Commutation
Gipson, April L.	Pardon
Quinn, Adam M.	Pardon
Clement-Maine, Rebekah G.	Pardon
Ramirez-Altamirano, Demetrio	Pardon
Kubasta, Frederick S.	Pardon
Pitts, Lonnie E.	Pardon

WSR 16-17-069

NOTICE OF PUBLIC MEETINGS

CENTRALIA COLLEGE

[Filed August 16, 2016, 1:56 p.m.]

BOARD OF TRUSTEES

Meeting Schedule

for 2017

DATE	TIME	LOCATION
Thursday, January 12, 2017	3:00 p.m.	College Boardroom
Thursday, February 9, 2017	3:00 p.m.	College Boardroom
Thursday, March 9, 2017	3:00 p.m.	College Boardroom
Thursday, April 13, 2017	3:00 p.m.	Centralia College East
Thursday, May 11, 2017	3:00 p.m.	College Boardroom
Thursday, June 8, 2017	3:00 p.m.	College Boardroom
Thursday, August 10, 2017	3:00 p.m.	College Boardroom
Thursday, September 14, 2017	3:00 p.m.	College Boardroom
President's contract		
Thursday, October 12, 2017	3:00 p.m.	College Boardroom
Area tour		
Thursday, November 9, 2017	3:00 p.m.	College Boardroom
Tenure presentation		
Thursday, December 14, 2017	3:00 p.m.	College Boardroom
Tenure presentation		

WSR 16-17-073

NOTICE OF PUBLIC MEETINGS

HORSE RACING COMMISSION

[Filed August 17, 2016, 8:59 a.m.]

The Washington horse racing commission is revising its published notice of 2016 meeting dates and locations.

The meeting originally scheduled for October 14, 2016, will now be held on October 7, 2016. The meeting will also be amended to the following location: Emerald Downs, 2300 Ron Crockett Drive, Auburn, WA 98001.

WSR 16-17-074

NOTICE OF PUBLIC MEETINGS

BIG BEND

COMMUNITY COLLEGE

[Filed August 17, 2016, 10:28 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 September 8, 2016, meeting is cancelled. If you have questions, please feel free to call.

WSR 16-17-078
NOTICE OF PUBLIC MEETINGS
PARKS AND RECREATION
COMMISSION

[Filed August 17, 2016, 12:19 p.m.]

As required by RCW 42.30.075, Open Public Meetings Act, the following schedule is submitted for publishing in the Washington State Register.

The Washington state parks and recreation commission has adopted the following 2017 regular meeting schedule and locations:

Date(s)	Meeting Location
January 25 - 26	Work Session - Tolmie State Park 7730 61st Avenue N.E. Olympia, WA 98506 Commission meeting - Millersylvania ELC 12245 Tilley Road South Olympia, WA 98512
March 29 - 30	Auburn City Hall - Council Chambers 25 West Main Street Auburn, WA 98001
May 17 - 18	City Hall - Council Chambers 700 US Highway 2 Leavenworth, WA 98826
July 12 - 13	Walla Walla City Hall - Council Chambers 15 North 3rd Avenue Walla Walla, WA 99216
September 27 - 28	Oxford Inn and Suites 15015 East Indiana Avenue Spokane, WA 99216
November 15 - 16	Westport Maritime Museum 2201 Westhaven Drive Westport, WA 098595 [98595]
December 6 - 7 commission plan- ning for 2018	SeaTac 8 a.m. December 6 to Noon December 7 Planning meeting only

Regular meetings run from 9 a.m. to 5 p.m. and include an opportunity for public comment. The December meeting is specifically for planning 2018 agenda. Staff will not present, to the commission, any requested actions or reports.

The commission typically meets in a work session from 9 a.m. to 5:00 p.m. the day prior to the regular meeting in the same location or at a location near the regular meeting location. Work sessions are educational sessions on park operations and issues that eventually may go before the commission.

The commission may also tour area sites or parks the day before or following the regular meeting. No public comment and/or formal action are taken at work sessions and tours.

The commission chair may call special meetings at any time; all special meetings are announced in advance.

The public is welcome to attend all state park and recreation commission meetings. Meeting sites will be barrier free to the greatest extent feasible. The commission will provide Braille or taped agenda items for the visually impaired and interpreters for those with hearing impairments if a request is received at the appropriate address shown above at least ten working days in advance of the scheduled meeting date.

Agendas are posted on the agency web site at least one week in advance of meetings, and commission action posted. <http://parks.state.wa.us>.

WSR 16-17-086
AGENDA
EASTERN WASHINGTON UNIVERSITY

[Filed August 17, 2016, 3:42 p.m.]

Semi-Annual Agenda for Rules under Development
July through December 2016

Following is Eastern Washington University's semi-annual rule-making agenda for Washington Administrative Code rules under development for publication in the Washington State Register pursuant to RCW 34.05.314.

Subject Matter	Current Activity
No filings at this time.	No filings at this time.

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 Chelsea Lamberson, University Compliance Officer, Policy Administrator and Title IX Coordinator, 214 Showalter Hall, Cheney, WA 99004, phone (509) 359-6322, fax (509) 359-7036, e-mail clamberson@ewu.edu.

WSR 16-17-087
HEALTH CARE AUTHORITY

[Filed August 17, 2016, 3:55 p.m.]

NOTICE

Title or Subject: Medicaid State Plan Amendment (SPA) 16-0030.

Effective Date: October 1, 2016.

Description: The health care authority (the agency) intends to submit medicaid SPA 16-0030 to make an administrative change to the way enrollment is conducted in the apple health managed care program, as follows: Since July 1, 2012, the agency has mandatorily enrolled the supplemental security income (SSI) blind and disabled adult and child populations into apple health managed care under the authority of a 1915(b) waiver¹ from the Centers for Medicare and Medicaid Services (CMS). As the result of discussions with CMS, the agency intends to make a technical change to the authority under which these populations receive apple health managed care. The agency will terminate this waiver and submit

a SPA to add the SSI blind and disabled adult and child populations to the agency's 1932(a) state plan; the SPA is anticipated to be effective October 1, 2016. This change would have no impact on eligibility or coverage for this population.

SPA 16-0030 is expected to have no effect on the annual aggregate expenditures for the apple health program, as it is an administrative change only.

A copy of SPA 16-0030 is available for review. The agency would appreciate any input or concerns regarding this SPA. To request a copy of the SPA or submit comments, please contact the person named below by e-mail (please note that all comments are subject to public review and disclosure, as are the names of those who comment): Alison Robbins, Apple Health Managed Care, 626 8th Avenue S.E., P.O. Box 45530, Olympia, WA 98501, phone (360) 725-1634, TDD/TTY 1-800-848-5429, fax (360) 753-7315, e-mail Alison.robbs@hca.wa.gov, web site www.hca.wa.gov.

¹This 1915(b) waiver is different from the 1915(b) waiver applicable to the behavioral health organizations and the behavioral health service only benefit package.

WSR 16-17-108

NOTICE OF PUBLIC MEETINGS TACOMA COMMUNITY COLLEGE

[Filed August 22, 2016, 10:40 a.m.]

The following dates and times need to be reflected for the Tacoma Community College board of trustees meetings:

Addition: Wednesday, October 26, 2016 (*Special meeting to be held - Joint meeting with Tacoma School District Board*) - Building #9, Room 101, Tacoma Community College, 8:00 a.m. - 10:00 a.m.

Change: Winter Board Retreat to Friday, January 13, 2017, 8:00 a.m. - 5:00 p.m., location, TBD (*previously scheduled for January 20, 2017, at Tacoma Community College*).

If you need any other information, Judy Colarusso can be reached at (253) 566-5136.

WSR 16-17-109

NOTICE OF PUBLIC MEETINGS WALLA WALLA COMMUNITY COLLEGE

[Filed August 22, 2016, 11:21 a.m.]

The Walla Walla Community College board of trustees has changed the date of the following regular meeting:

From: November 16, 2016.

To: November 30, 2016.

If you need further information, please contact Jerri Ramsey, 500 Tausick Way, Walla Walla, WA 99362, phone (509) 527-4274, e-mail jerri.ramsey@wwcc.edu, www.wwcc.edu.

WSR 16-17-113

NOTICE OF PUBLIC MEETINGS BELLINGHAM TECHNICAL COLLEGE

[Filed August 22, 2016, 2:50 p.m.]

The Bellingham Technical College board of trustees will hold a special meeting on Thursday, August 25, 2016, 8:30 a.m. - 4:00 p.m., in the College Services Board Room on the Bellingham Technical College campus. The purpose of the meeting will be to provide trustees with an update and report on the college goals and initiatives; student success initiatives; campus governance; review select board policies and procedures; engage in self-evaluation; and, provide updates on enrollment and budget. The special meeting will recess into executive session to review the performance of a public employee. Action may be taken in open session as a result of discussion. (RCW 42.30.110 (1)(g).) Call 752-8334 for information.

WSR 16-17-121

INTERPRETIVE STATEMENT DEPARTMENT OF REVENUE

[Filed August 23, 2016, 8:56 a.m.]

INTERPRETIVE STATEMENT ISSUED

The department of revenue has reissued the following excise tax advisory (ETA):

ETA 3055.2016 - BTA Nonacquiescence

This ETA announces the department's nonacquiescence to certain board of tax appeals (BTA) decisions. The ETA has been amended to add the department's nonacquiescence to the *Cascade Concrete Industries Inc. v. Dep't of Revenue* BTA decision.

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

Kevin Dixon
Tax Policy Manager
Rules Coordinator

WSR 16-17-133

INTERPRETIVE OR POLICY STATEMENT DEPARTMENT OF

LABOR AND INDUSTRIES

[Filed August 23, 2016, 12:12 p.m.]

Under RCW 34.05.230, following is one policy and interpretive statement issued by the department of labor and industries, fraud prevention and labor standards division.

If you have any questions or need additional information, please contact Maggie Leland, rules coordinator at (360) 902-4504.

Title: ES.C.6.2 - *Meal and Rest Periods for Agricultural Workers*.

Date Issued: August 11, 2016.

Description: This policy provides guidance on the obligation to pay agricultural piece-rate workers for their rest periods, as confirmed by the Washington supreme court opinion, *Demetrio v. Sakuma Brothers Farms*. The policy was amended to address questions raised including: Agreements for a separate rate of pay for rest periods, calculating rest period pay when the worker is paid both a piece rate and an hourly rate of pay, how to treat bonuses, and documentation of payment for rest periods.

Contact: Tisa Soeteber, 7273 Linderson Way S.W., Tumwater, WA 98501, Mailstop 4510, (360) 902-4537, ZEPQ235@lni.wa.gov.

Maggie Leland
Rules Coordinator
Policy Director

WSR 16-17-142
HEALTH CARE AUTHORITY

[Filed August 24, 2016, 6:55 a.m.]

NOTICE

Title or Subject: Medicaid state plan amendment (SPA) 16-0031 Community First Choice.

Effective Date: On or after January 1, 2017.

Description: The health care authority in conjunction with the department of social and health services (DSHS) intends to submit medicaid SPA 16-0031 to make amendments to the community first choice (CFC) program (SPA 15-0037) that was initially approved by CMS effective July 1, 2015.

SPA 16-0031 will amend the CFC program to:

- Clarify language for personal care providers regarding state and federal background checks.
 - o A state background check must be completed prior to contracting.

- o A federal background check must be completed within one hundred twenty days of the provider being hired.
- Remove the link to the rate schedule listed on Attachment 4.19-B page 49.
- Add provider types eligible to provide the following services:
 - o Voluntary training on how to select, manage and dismiss attendants.
 - o Community transition.
 - o Assistive technology.
- Expand the scope of the "voluntary training on how to select, manage and dismiss attendants." Currently this service is provided through self-study materials. Upon approval from CMS, participants who employ and manage multiple care providers may choose to receive training directly from listed provider types.
- Expand the scope of the backup system service to receive federal matching funds for bed hold retainer payments to residential providers during a participant's short term hospital or nursing home stay.
- Remove references to the social service payment system.
- Increase the fiscal year monetary limit available to participants to \$550.00 for the purchase of assistive technology and skills acquisition training.
- Clarify that the scope of assistive technology services includes assistive equipment that increases the individual's independence or substitutes for human assistance.

SPA 16-0031 is expected to impact annual aggregate expenditures as follows:

- Annual state expenditures for voluntary training on how to select, manage and dismiss attendants are expected to increase by \$947,320.
- Annual state expenditures for the fiscal year monetary limit are expected to increase by \$677,160.
- Annual state expenditures for bed hold retainer payments are expected to decrease by \$775,934.
- PA [SPA] 16-0031 will have no effect on current provider payment rates or methodologies.

To obtain copies of the proposed SPA changes, please contact the agency in your county listed below:

<p>Adams County Adams County Health Department 108 West Main Ritzville, WA 99169 Phone (509) 659-3315</p>	<p>Clark County Home and Community Services Vancouver HCS 800 N.E. 136th Avenue Suite 220 Vancouver, 98684 Phone (360) 397-9500 Alt. Phone 1-800-280-0586 TTY (360) 750-4079 Fax (360) 992-7949</p>	<p>Franklin County The Franklin County Commissioners Office 1016 North 4th Avenue Pasco, WA 99301 (509) 545-3535</p>
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<p>Asotin County Home and Community Services Clarkston HCS Office 525 Fifth Street Clarkston, 99403 Web site http://www.altcWASHINGTON.com Phone (509) 751-4672 Alt. Phone 1-800-310-4881 Fax (509) 758-4593</p>	<p>Columbia County Aging and Disability Resource Center Columbia Office 410 East Main Dayton, 99328 Web site http://www.altcWASHINGTON.com/ Phone (509) 382-4787</p>	<p>Garfield County Garfield County District Court 789 West Main Street Pomeroy, WA 99347 Phone (509) 843-1002</p>
<p>Benton County Home and Community Services Tri-Cities HCS Office 500 North Morain Street Suite 2210 Kennewick, 99336 Phone (509) 374-2100 Alt. Phone 1-800-310-4833 Fax (509) 734-7559</p>	<p>Cowlitz County Home and Community Services Kelso HCS 711 Vine Street Kelso, 98626 Phone (360) 501-2500 Alt. Phone 1-800-605-7322 TTY (360) 577-7591 Fax (360) 578-4106</p>	<p>Grant County Home and Community Services Moses Lake HCS 1651 South Pilgrim Street Moses Lake, WA 98837 Phone (509) 764-5657 Alt. Phone 1-800-671-8902 TTY 1-800-833-6388 Fax (509) 764-5656</p>
<p>Chelan County Chelan Community Services Office 805 South Mission Street Wenatchee, 98801 Phone (509) 886-6400</p>	<p>Douglas County Home and Community Services Wenatchee HCS 50 Simon Street S.E. Suite B East Wenatchee, 98802 Phone (509) 886-6140 Alt. Phone 1-800-670-8874 Fax (509) 886-6221</p>	<p>Grays Harbor County Home and Community Services Aberdeen HCS 415 West Wishkah Street Suite A2 Aberdeen, 98520 Phone (360) 533-9222 Alt. Phone 1-800-487-0119 TTY (360) 533-9730 Fax (360) 533-9782</p>
<p>Clallam County Home and Community Services Port Angeles HCS 235 West 1st Street Port Angeles, 98362 Phone (360) 565-2160 Alt. Phone 1-800-280-9891 TTY (360) 417-5651 Fax (360) 417-1416</p>	<p>Ferry County Home and Community Services Republic HCS 89 East Delaware Republic 99166 Phone (509) 775-2227 Alt. Phone 1-888-437-0516 TTY (509) 775-2661 Fax (509) 775-2401</p>	<p>Island County Home and Community Services Oak Harbor HCS 900 East College Way Suite 210 Mt. Vernon, 98273 Phone (360) 429-2961 Alt. Phone 1-866-608-0836 Fax (360) 429-2958</p>
<p>Jefferson County Home and Community Services Port Townsend HCS 915 Sheridan Street Suite 201 Port Townsend, 98368 Phone (360) 379-4326 Alt. Phone 1-800-280-9991 Fax (360) 344-4600</p>	<p>Lewis County Home and Community Services Chehalis HCS 3451 Galvin Road Centralia, 98531 Phone (360) 807-7150 Alt. Phone 1-800-487-0360 Fax (360) 330-7552</p>	<p>Pend Oreille County Home and Community Services Newport HCS 1600 West First Avenue Newport, 99156 Phone (509) 447-6223 Alt. Phone 1-888-437-0516 Fax (509) 447-5256</p>

<p>King County Home and Community Services King County HCS 1737 Airport Way South Suite 130 P.O. Box 24847 Seattle, 98134 Phone (206) 341-7750 Alt. Phone 1-800-346-9257 TTY 1-800-833-6384</p>	<p>Lincoln County Lincoln County Health Department 90 Nicholls Street Davenport, WA 99122 Phone (509) 725-1001</p>	<p>Pierce County Home and Community Services Tacoma HCS 1949 South State Street Tacoma, 98405 Phone (253) 476-7200 Alt. Phone 1-800-442-5129 TTY (253) 593-5471 Fax (253) 597-4161</p>
<p>Kitsap County Home and Community Services Bremerton HCS 4710 Auto Center Boulevard Bremerton, 98312 Phone (360) 473-2299 Alt. Phone 1-800-422-7114 TTY (360) 478-4928 Fax (360) 478-6467</p>	<p>Mason County Home and Community Services Shelton HCS 2505 Olympic Highway North Suite 440 Shelton, 98584 Phone (360) 664-9050 Alt. Phone 1-800-462-4957 Fax (360) 432-2045</p>	<p>San Juan County San Juan County Health Services 145 Rhone Street Friday Harbor, WA 98250 Phone (360) 378-4474 Fax (360) 378-7036</p>
<p>Kittitas County Home and Community Services Ellensburg Office 100 East Jackson Avenue Suite 100 Ellensburg, 98926 Phone (509) 925-0433 Alt. Phone 1-800-310-4999 Fax (509) 962-7755</p>	<p>Okanogan County Home and Community Services Omak HCS 130 South Main Omak, 98841 Phone (509) 846-2103 Alt. Phone 1-888-437-0529 TTY (509) 826-7389 Fax (509) 826-7439</p>	<p>Skagit County Home and Community Services Mt. Vernon HCS 900 East College Way Suite 210 Mt. Vernon, 98273 Phone (360) 429-2961 Alt. Phone 1-866-608-0836 Fax (360) 416-7401</p>
<p>Klickitat County Home and Community Services White Salmon HCS 221 North Main Street White Salmon, 98672 Phone (509) 493-6157 Alt. Phone 1-800-504-1180</p>	<p>Pacific County Home and Community Services South Bend HCS 307 East Robert Bush Drive P.O. Box 87 South Bend, 98586 Phone (360) 875-4222 Alt. Phone 1-800-458-3747 Fax (360) 875-0590</p>	<p>Skamania County Home and Community Services Stevenson HCS 266 S.W. Second Street P.O. Box 817 Stevenson, 98648 Phone (509) 427-5611 Alt. Phone 1-800-505-4203 Fax (509) 427-4604</p>
<p>Snohomish County Home and Community Services Smokey Point HCS 3906 172nd Street N.E. Suite 101 Arlington, 98223 Phone (360) 651-6800 Alt. Phone 1-800-827-2984 Fax (360) 651-6832</p>	<p>Thurston County Home and Community Services Tumwater HCS (formerly Lacey HCS office) 6639 Capitol Boulevard S.W. Tumwater, 98512 Phone (360) 664-9050 Alt. Phone 1-800-462-4957 TTY (360) 407-1678 Fax (360) 664-9107</p>	<p>Whatcom County Home and Community Services Bellingham HCS 600 Lakeway Drive Bellingham, 98225 Phone (360) 756-5750 Alt. Phone 1-800-239-8292 Fax (360) 676-2239</p>

Spokane County Home and Community Services Spokane HCS 1330 North Washington Street Suite 3000 Spokane, 99201 Phone (509) 568-3700 Alt. Phone 1-800-459-0421 TTY (509) 568-3697 Fax (509) 568-3771	Wahkiakum County Health and Human Services 42 Elochoman Valley Road Cathlamet, 98612 (360) 795-8630 1-800-635-5989	Whitman County Home and Community Services Colfax HCS 418 South Main Street Suite 3 Colfax, 99111 Phone (509) 397-5091 Alt. Phone 1-800-459-0421 Fax (509) 397-4323
Stevens County Home and Community Services Colville HCS 1100 South Main Colville, 99114 Phone (509) 685-5644 Alt. Phone 1-888-437-0516 Fax (509) 684-7430	Walla Walla County Home and Community Services Walla Walla Office 206 West Poplar Walla Walla, 99362 Phone (509) 524-4960 Alt. Phone 1-800-310-5678 Fax (509) 527-4142	Yakima County Home and Community Services Yakima Office 1002 North 16th Avenue Yakima, 98902 Phone (509) 225-4400 Alt. Phone 1-800-822-2097 Fax (509) 575-2286

A copy of SPA 16-0031 is also available for review at <https://www.dshs.wa.gov/altsa/stakeholders/community-first-choice-option>. The health care authority and DSHS would appreciate comments on this proposed amendment. To request a copy of the SPA or submit comments, please contact Jacqueline Echols, Home and Community Services, P.O. Box 45600, phone (360) 725-3216, TDD/TTY 877-905-0454, fax (360) 438-8633, e-mail Jacqueline.echols@dshs.wa.gov, web site www.dshs.wa.gov/altsa/stakeholders/community-first-choice-option (please note that all comments are subject to public review and disclosure, as are the names of those who comment).

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 AGO Opinions List.

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

**Opinion Docket No. 16-08-02
Request by Representative Kevin Van De Wege**

QUESTION:

Are the meetings of the local Ferry Advisory Committees, and of the [Ferry Advisory Committee] executive committee, subject to RCW 42.30, the Open Public Meetings Act?

WSR 16-17-148

ATTORNEY GENERAL'S OFFICE

[Filed August 24, 2016, 10:17 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 September 14, 2016. 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 e-mail to jeff.even@atg.wa.gov or by writing to the Office of the Attorney General, Solicitor General Division, Attention Jeff Even, Deputy Solicitor General, P.O. Box 40100, Olympia, WA 98504-0100. When you notify the