

WSR 17-18-002**PREPROPOSAL STATEMENT OF INQUIRY
TRAFFIC SAFETY COMMISSION**

[Filed August 24, 2017, 9:13 a.m.]

Subject of Possible Rule Making: Revisions to current chapter 467-02 WAC including updating references to our old address; updating definitions, updating references to RCW that have been recodified; updating the public records request language to reflect new RCW language.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.59.070.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Updating existing WAC to reflect current definitions and RCW reference revisions. The updates will accomplish compliance with recent changes.

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

Process for Developing New Rule: Not applicable, updating existing rule.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Mandie Dell, 621 8th Avenue S.W., Suite 409, Olympia, WA 98504, phone 360-725-9883, fax 360-586-6489, email mdell@wtsc.wa.gov, web site www.wtsc.wa.gov; or Pam Pannkuk, 621 8th Avenue S.W., Suite 409, Olympia, WA 98504, phone 360-725-9860, fax 360-586-6489, email ppannkuk@wtsc.wa.gov, web site www.wtsc.wa.gov.

August 24, 2017
Pam Pannkuk
Deputy Director

WSR 17-18-010**PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY**

(Washington Apple Health)

[Filed August 24, 2017, 1:45 p.m.]

Subject of Possible Rule Making: WAC 182-550-2301 Hospital and medical criteria requirements for bariatric surgery.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021, 41.05.160.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The agency is revising the requirements a hospital must meet to perform and be paid for bariatric surgery provided to eligible apple health clients. To qualify, a hospital must be accredited by the metabolic and bariatric surgery accreditation and quality improvement program.

Process for Developing New Rule: The agency welcomes the public to take part in developing this rule. If interested, contact the person identified below to receive an early rule draft to review. After the early review, the agency will send a notice of proposed rule making (CR-102) to everyone receiving this notice and anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Vance Taylor, P.O. Box 42716, Olympia, WA 98504-2716, phone 360-725-1344, fax 360-586-9727, TTY 800-848-5429, email vance.taylor@hca.wa.gov, web site www.hca.wa.gov/about-hca/rules.

August 24, 2017
Wendy Barcus
Rules Coordinator

WSR 17-18-042**PREPROPOSAL STATEMENT OF INQUIRY
BOARD OF INDUSTRIAL
INSURANCE APPEALS**

[Filed August 30, 2017, 11:30 a.m.]

Subject of Possible Rule Making: Amendment of sections of chapter 263-12 WAC, Practice and procedure. Procedural rules for hearings conducted by the agency. Allow for disposition of appeal when the department of labor and industries or the self-insured employer must initially [initially] present its case in chief and the appellant does not appear at the hearing.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 51.52.020.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: In appeals filed from orders that determined a worker had obtained benefits through willful misrepresentation or in appeals from citations issued by the division of occupational safety and health, the department or self-insured employer has the burden of initially introducing all of its case[s] in chief. When the appealing party or their representative does not appear at the initial hearing, the department of labor and industries or the self-insured employer is required to present its proof in support of defending the appealed order. The rule would allow for disposition of the appeal due to the appellant's nonappearance without the need to take evidence from the department or self-insured employer.

Process for Developing New Rule: Interested parties can participate in the adoption process for the new rule and formulation of the rule before publication by contacting the individual listed below. The public can also participate by providing written comments and/or testimony during the public hearing and comment process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting David Threedy, P.O. Box 42401, Olympia, WA 98504-2401, phone 360-753-6823, fax 885-586-5611 [855-586-5611], TTY 800-833-6388, email dave.threedy@biia.wa.gov, web site www.biia.wa.gov.

August 30, 2017
David E. Threedy
Executive Secretary

WSR 17-18-052
PREPROPOSAL STATEMENT OF INQUIRY
BIG BEND
COMMUNITY COLLEGE

[Filed August 31, 2017, 2:16 p.m.]

Subject of Possible Rule Making: Chapter 132R-175 WAC, Public records.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.50.140 and chapter 34.05 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Legislative changes and statutory updates necessitate revisions.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: All other Washington community and technical colleges under the jurisdiction of the Washington state board for community and technical colleges and many other state agencies manage public records.

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Kim Garza, 7662 Chanute Street N.E., Moses Lake, WA 98837, phone 509-793-2010, email kimg@bigbend.edu, web site www.bigbend.edu.

August 31, 2017
Melinda Dourte
Executive Assistant
to the President

WSR 17-18-054
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
NATURAL RESOURCES

[Filed August 31, 2017, 4:24 p.m.]

Subject of Possible Rule Making: The department is considering revising as well as adding to chapter 332-10 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 42.56.040, 42.56.070, 42.56.100, 42.56.120 and 42.56.520; and chapter 304, Laws of 2017.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department of natural resources (DNR) proposes amending the chapter to better conform such chapter to (1) recent changes in the statutory law concerning public records; (2) model rules recommended by the attorney general's office (chapter 44-14 WAC); and (3) current agency practices.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: DNR will not be coordinating with any other state agencies in this rule making.

Process for Developing New Rule: Full rule-making process including a public hearing.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jenny Hallengren-Sawyer, P.O. Box

47014, phone 360-902-1542, fax 360-902-1789, email jenny.hallengren-sawyer@dnr.wa.gov, web site www.dnr.wa.gov; or Charles Malone, P.O. Box 47041, phone 360-902-1264, email charles.malone@dnr.wa.gov.

August 29, 2017
Brule Burkhart
Deputy Supervisor
for Administration

WSR 17-18-076
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed September 5, 2017, 10:47 a.m.]

Subject of Possible Rule Making:

- Chapter 296-20 WAC, Medical aid rules.
- Chapter 296-23 WAC, Radiology, radiation therapy, nuclear medicine, pathology, hospital, chiropractic, physical therapy, drugless therapeutics and nursing—Drugless therapeutics, etc.
- Acupuncture.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 51.04.020, 51.04.030, and 34.05.313.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department of labor and industries (L&I) has reviewed the best available scientific and clinical evidence related to the efficacy of acupuncture for treating low back pain. Based on this review, L&I has decided to initiate a pilot that would help determine how acupuncture treatment could best be incorporated into the workers' compensation setting. Current rules state that the department or self-insurer will not allow nor pay for acupuncture (WAC 296-20-03002). Additionally, the department or self-insurer will not pay for services performed by acupuncturists (WAC 296-20-01505).

Under this pilot, these current provisions related to acupuncture treatment and acupuncturists will be waived only for pilot participants. The pilot will begin October 1, 2017, and will continue throughout a two-year period or as otherwise specified. Pilot program results will be considered in developing proposed rule language, medical coverage decisions and/or payment policy. L&I has determined that such a waiver is in the public interest and necessary to conduct this pilot project.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: L&I is governed by Title 51 RCW, Washington's Industrial Insurance Act. No other state or federal agencies are responsible for interpreting and enforcing the provisions of this act.

Process for Developing New Rule: Pilot rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jami Lifka, Medical Program Specialist, L&I, Office of the Medical Director, P.O. Box 44321, Olympia, WA 98504-4321, phone 360-902-4941, fax 360-

902-6315, TTY 711 or 360-902-4941, email Jami.Lifka@Lni.wa.gov, web site www.Lni.wa.gov.

Additional comments: For information related to the pilot program requirements and how to participate in the pilot, please contact Zachary Gray at 360-902-5025 or Zachary.Gray@Lni.wa.gov. You can also subscribe to the acupuncture pilot listserv at <http://lni.wa.gov/Main/Listservs/LNI-Acupuncture.asp>. Additional information can be found on the acupuncture pilot web site at www.Lni.wa.gov/Acupuncturepilot.

September 5, 2017
Joel Sacks
Director

WSR 17-18-082
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
[Filed September 5, 2017, 1:31 p.m.]

Subject of Possible Rule Making: The department is proposing to amend WAC 388-418-0020 How does the department determine the date a change affects my cash and Basic Food benefits?, and other rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.04.055, 74.04.57 [74.04.057], 74.04.510, 74.08.090, and 7 C.F.R. 273.9.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Changes proposed under this filing will amend WAC 388-418-0020 and other related rules as may be required to provide clarity for Supplemental Nutrition Assistance Program (SNAP) recipients and prevent unnecessary overpayments regarding when clients submit changes to their SNAP cases.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Department of Agriculture, Food and Nutrition Service (FNS) enforces the provisions of the federal SNAP as enacted in the 2008 Food and Nutrition Act and codified in C.F.R. The department will amend rules that are consistent with the act, federal regulations, and FNS administrative notices and formal guidance.

The state legislature authorizes the department to administer SNAP and food assistance program for legal immigrants under RCW 74.04.500, 74.04.510, and 74.08A.120.

DSHS incorporates regulations from the federal agencies, exercises state options, and implements approved waivers of federal regulatory requirements by adopting administrative rules for food assistance programs administered under the Washington basic food program.

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Ezra Paskus, Program Manager, Economic Services Administration, Community Services Division, P.O. Box 45470, Olympia, WA 98504-5470, phone 360-725-4611, fax 360-725-4905, email paskuet@dshs.wa.gov.

September 5, 2017
Katherine I. Vasquez
Rules Coordinator

WSR 17-18-083
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Developmental Disabilities Administration)
[Filed September 5, 2017, 1:40 p.m.]

Subject of Possible Rule Making: The department is proposing to amend chapter 388-845 WAC, DDA home and community based waivers, and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 71A.12.030, 71A.12.120.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is proposing to amend many of these rules as part of the developmental disabilities administration's (DDA) waiver renewal process. Amendments related to the waiver renewal have been filed for emergency rule making effective September 1, 2017. The emergency rules reflect the changes approved by the Centers for Medicare and Medicaid Services in August 2017. During the course of this review, DDA may identify additional changes that are necessary to improve clarity or update policy.

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

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Chantelle Diaz, DDA, P.O. Box 45310, Olympia, WA 98504-5310, phone 360-407-1589, fax 360-407-0955, TTY 1-800-833-6388, email Chantelle.Diaz@dshs.wa.gov.

September 5, 2017
Katherine I. Vasquez
Rules Coordinator

WSR 17-18-085
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Aging and Long-Term Support Administration)

[Filed September 5, 2017, 1:43 p.m.]

Subject of Possible Rule Making: The department is proposing to amend sections in chapter 388-78A WAC, Assisted living facility licensing rules, including WAC 388-78A-2190 and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 18.20 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is amending these rules to assure compliance with requirements from 2016-2017 passed legislation, SHB 1671, which requires "medication assistance" to be added to the "activities of daily living" which currently includes bathing, dressing, eating, personal hygiene, transferring, toileting, and mobility.

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

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jeanette Childress, Policy Program Manager, P.O. Box 45600, Olympia, WA 98504-5600, phone 360-725-2591, fax 360-407-1976, email childjk@dshs.wa.gov, web site <https://www.dshs.wa.gov/altsa>.

September 5, 2017
Katherine I. Vasquez
Rules Coordinator

WSR 17-18-091
PREPROPOSAL STATEMENT OF INQUIRY
ATTORNEY GENERAL'S OFFICE

[Filed September 6, 2017, 8:23 a.m.]

Subject of Possible Rule Making: The purpose of this possible rule making is to adopt a permanent rule that implements the state legislature's new Public Records Act (PRA) requirement and provide the necessary findings so that the office of the attorney general may continue to use the amended statutory default fee schedule that became effective July 23, 2017, and continue to waive copy fees under listed circumstances. The additional purpose of the rule is to continue to explain procedures for payment for copies. An emergency rule on these subjects, WAC 44-06-092, was adopted effective July 23, 2017. The office intends to proceed with adopting the rule as a permanent rule. Finally, the office

intends to repeal its permanent rule at WAC 44-06-090, a copying fees rule adopted under prior PRA statutes.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 42.56.100; RCW 42.56.040 (1)(d), 42.56.120 (as amended by chapter 304, Laws of 2017), 43.10.110.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: PRA is chapter 42.56 RCW. The 2017 legislature amended RCW 42.56.120, section 3, chapter 304, Laws of 2017, to require that effective July 23, 2017, if an agency uses the new law's amended statutory default copy fee schedule (rather than determining actual costs of copies), the agency must have a rule declaring the reason it is not calculating actual costs is because to do so would be unduly burdensome. The office is not calculating actual costs for copying records because to do so would be unduly burdensome for the reasons specified in its emergency rule WAC 44-06-092. The office intends to adopt the rule on a permanent basis so it can continue to use the statutory default copy fee schedule. In addition, RCW 42.56.120 as amended by section 3, chapter 304, Laws of 2017, allows an agency to waive any charge assessed for a public record pursuant to agency rule. Emergency rule WAC 44-06-092 also describes the circumstances under which the office will waive copying fees. In order to continue that waiver ability, the office intends to enact WAC 44-06-092 as a permanent rule. The office also describes in that emergency rule the procedures to pay for copies. The office also intends to adopt that part of the rule and the remainder of the rule on a permanent basis. Finally, the office intends to repeal WAC 44-06-090, its copying fees rule originally adopted under former chapter 42.17 RCW because that rule is now outdated.

There was insufficient time under permanent rule-making procedures for the office to bring its copy fees into statutory compliance by July 23, 2017, and as directed by the 2017 legislature; therefore, the office adopted an emergency rule WAC 44-06-092. The office is now proceeding with permanent rule making on the subjects addressed in the emergency rule WAC 44-06-092, and is proceeding with permanent rule making to repeal WAC 44-06-090.

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

Process for Developing New Rule: The office will be proposing a permanent rule and repealing a current rule in response to the copying fee amendments to RCW 42.56.120. The office will provide public notice of this rule-making through filings in the Washington State Register and through posting information on the office web site at www.atg.wa.gov. During a public comment period, the office will also seek comment: (1) As to be described in the anticipated rule-making proposal form (CR-102); (2) from persons who have requested notice of office rule making; and (3) from persons who attend the public hearing.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Christina Beusch, 1125 Washington Street S.E., P.O. Box 40100, Olympia, WA 98504-0100, phone 360-664-3801, fax 360-664-0228, email ChristinaB@atg.wa.gov, web site www.atg.wa.gov.

September 6, 2017
Bob Ferguson
Attorney General

September 6, 2017
Kevin Dixon
Rules Coordinator

WSR 17-18-093**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF REVENUE**

[Filed September 6, 2017, 8:30 a.m.]

Subject of Possible Rule Making: WAC 458-40-540 (Forest land values—2018) and 458-40-660 (Timber excise tax—Stumpage value tables).

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: RCW 84.33.140 requires that forest land values be adjusted annually by a statutory formula contained in RCW 84.33.140(3). The department anticipates amending the forest land values rule (WAC 458-40-540) to adjust the table of forest land values in Washington as required by statute. County assessors will use these published land values for property tax purposes in 2018.

Further, RCW 84.33.091 requires the department of revenue to revise the stumpage value tables every six months. The department establishes stumpage value tables to apprise timber harvesters of the timber values used to calculate the timber excise tax. The department anticipates amending WAC 458-40-660 to provide valuations for the first half of 2018.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Although the United States Forest Service and Washington state department of natural resources both regulate forest practices, neither is involved in valuation for taxation purposes. The nontax processes and definitions are coordinated with these agencies to avoid conflict, but there should be no need to involve them in the valuation revisions provided in this rule.

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Danitza M. Casselman, P.O. Box 47453, Olympia, WA 98504-7453, phone 360-534-1583, fax 360-5534-1606 [360-534-1606], TTY 800-833-6384, email danitzac@dor.wa.gov.

Additional comments: A preliminary draft of the proposed rule will be made available prior to the public meeting via the department's online rule-making agenda.

Written comments may be submitted by mail or email and should be directed to Leslie Mullin using one of her contact methods above.

Written and oral comments will be accepted at the public meeting, on October 19, 2017, at 1:00 p.m., at Conference Room 114C, 6400 Linderson Way S.W., Tumwater, WA 98501.

WSR 17-18-095**PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY**

(Washington Apple Health)

[Filed September 6, 2017, 9:39 a.m.]

Subject of Possible Rule Making: WAC 182-550-2900 Payment limits—Inpatient hospital services, 182-550-3000 Payment method, 182-550-3840 Payment adjustment for potentially preventable readmissions, and other related rules, as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021, 41.05.160.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The agency is repealing WAC 182-550-3840 and reinserting previous rule language regarding fourteen day readmissions into WAC 182-550-2900 and 182-550-3000. The agency is making these changes because it has determined that restoring the fourteen day readmission rule is the most clinically sound and cost-effective approach to managing readmissions. During the course of this review, the agency may identify additional changes that are required in order to improve clarity or update policy.

Process for Developing New Rule: The agency welcomes the public to take part in developing this rule. If interested, contact the person identified below to receive an early rule draft to review. After the early review, the agency will send a notice of proposed rule making (CR-102) to everyone receiving this notice and anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Katie Pounds, P.O. Box 42716, Olympia, WA 98504-2716, phone 360-725-1346, fax 360-586-9727, TTY 1-800-848-5429, email katherine.pounds@hca.wa.gov, web site www.hca.wa.gov/about-hca/rulemaking.

September 6, 2017
Wendy Barcus
Rules Coordinator

WSR 17-18-101**PREPROPOSAL STATEMENT OF INQUIRY
LIQUOR AND CANNABIS
BOARD**

[Filed September 6, 2017, 10:28 a.m.]

Subject of Possible Rule Making: New section in chapter 314-12 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 66.08.030.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Clarification is needed for licensees.

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

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Karen McCall, P.O. Box 43080, phone 360-664-1631, fax 360-664-9689, email Karen.mccall@lcb.wa.gov, web site lcb.wa.gov.

September 6, 2017
Jane Rushford
Chair

WSR 17-18-105
PREPROPOSAL STATEMENT OF INQUIRY
SUPERINTENDENT OF
PUBLIC INSTRUCTION

[Filed September 6, 2017, 11:11 a.m.]

Subject of Possible Rule Making: WAC 392-121-182 Alternative learning experience requirements.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The office of superintendent of public instruction (OSPI) is considering amending WAC 392-121-182 for the purpose of meeting the statutory full-day kindergarten requirements, RCW 28A.150.315, in an alternative learning experience setting.

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Becky McLean, OSPI Enrollment Supervisor, P.O. Box 47200, Olympia, WA 98504-7200, phone 360-725-6306, fax 360-664-3683, TTY 360-664-3631, email becky.mclean@k12.wa.us, web site k12.wa.us.

September 6, 2017
Chris P. S. Reykdal
State Superintendent
of Public Instruction

WSR 17-18-107
PREPROPOSAL STATEMENT OF INQUIRY
UNIVERSITY OF WASHINGTON

[Filed September 6, 2017, 11:13 a.m.]

Subject of Possible Rule Making: Chapter 478-276 WAC, Governing access to public records.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.20.130; chapter 42.56 RCW; and RCW 42.56.120 (as amended by chapter 304, Laws of 2017 [2017]).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The University of Washing-

ton is considering updates and amendments to its chapter governing access to public records in order to reflect recent legislative and case law changes, as well as proposed updates to the Public Records Act model rules.

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

Process for Developing New Rule: Agency Study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Barbara Lechtanski, Director of Rules Coordination, University of Washington, Rules Coordination Office, Box 351210, Seattle, WA 98195-1210, email rules@uw.edu.

September 6, 2017
Barbara Lechtanski
Director of Rules Coordination

WSR 17-18-108
PREPROPOSAL STATEMENT OF INQUIRY
SUPERINTENDENT OF
PUBLIC INSTRUCTION

[Filed September 6, 2017, 11:15 a.m.]

Subject of Possible Rule Making: Amending WAC 392-172A-02075.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.155.090; 20 U.S.C. §1400 et seq., the Individuals with Disabilities Education Act.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The office of superintendent of public instruction (OSPI) has the authority under state statute to develop administrative rules to implement federal regulations governing special education services to students. OSPI is proposing to amend WAC 392-172A-02075 to prohibit school district personnel from requiring parents to obtain prescriptions for substances that are not identified under Schedules I-V of the Controlled Substances Act (21 U.S.C. Section 812(c)) for student[s] as a condition of attending school, receiving an evaluation, or receiving educational services. The expanded prohibition will not extend to prescriptions for substances required under other state laws.

Process for Developing New Rule: OSPI will hold a public hearing for comment and seek written input from stakeholders.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting OSPI, Special Education Section, P.O. Box 47200, Olympia, WA 98504-7200, phone 360-725-6075, fax 360-586-0247, TTY 360-586-0126, email sped@k12.wa.us (please include the words "2017 Rulemaking" in the subject line), web site <http://www.k12.wa.us/SpecialEd/default.aspx>.

September 6, 2017
Chris P. S. Reykdal
State Superintendent
of Public Instruction

WSR 17-18-110
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH

[Filed September 6, 2017, 11:25 a.m.]

Subject of Possible Rule Making: WAC 246-830-005, 246-830-020, 246-830-035, 246-830-037, 246-830-420, 246-830-430, 246-830-440, 246-830-475, 246-830-550, 246-830-555, 246-830-560, 246-830-565 and 246-830-570, massage practitioners. The department of health (department), in coordination with the board of massage (board), is considering revising sections of the massage practitioner rules following the chapter review that became effective July 30, 2017. The department and board will consider revising training hours, continuing education, approval of schools and programs, perineal massage, recordkeeping and record retention. The board and department will also consider clarifying other rules as needed.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.108.025 and 18.108.085.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The identified sections of chapter 246-830 WAC are being opened in response to a rules petition from the American Massage Therapy Association-WA chapter regarding follow-up amendments to the recent chapter review. In response to the petition the department and board will consider revisions concerning continuing education, approval of schools and programs, perineal massage, recordkeeping and record retention. During the chapter review, the board agreed to postpone revisions to the training section to allow time for research to determine if additional training hours are necessary for public protection.

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

Process for Developing New Rule: Collaborative rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Megan Maxey, P.O. Box 47852, Olympia, WA 98504-7852, phone 360-236-4945, fax 360-236-2901, TTY 360-833-6388 or 711, email megan.maxey@doh.wa.gov, web site www.doh.wa.gov.

Additional comments: All notices will be sent to the public through the board of massage's distribution list. Interested parties can join the distribution list at <https://public.govdelivery.com/accounts/WADOH/subscriber/new>.

September 6, 2017
John Wiesman, DrPH, MPH
Secretary
Blake T. Maresh, MPA
Executive Director