

**OFFICE OF THE CODE REVISER**  
**Quarterly Rule-Making Report**  
**Covering Registers 18-07 through 18-12**

<b>Type of Activity</b>	<b>New</b>	<b>Amended</b>	<b>Repealed</b>
<b>ACCOUNTANCY, BOARD OF</b>			
<b>Type of Activity</b>	<b>New</b>	<b>Amended</b>	<b>Repealed</b>
Number of Rules Proposed for Permanent Adoption	0	1	0
<b>ADMINISTRATIVE HEARINGS, OFFICE OF</b>			
<b>Type of Activity</b>	<b>New</b>	<b>Amended</b>	<b>Repealed</b>
Number of Permanent Rules Adopted	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
<b>AGRICULTURE, DEPARTMENT OF</b>			
<b>Type of Activity</b>	<b>New</b>	<b>Amended</b>	<b>Repealed</b>
Number of Permanent Rules Adopted	0	12	9
Number of Rules Proposed for Permanent Adoption	27	18	2
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
<b>ARTS COMMISSION</b>			
<b>Type of Activity</b>	<b>New</b>	<b>Amended</b>	<b>Repealed</b>
Number of Permanent Rules Adopted	7	2	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
<b>BIG BEND COMMUNITY COLLEGE</b>			
<b>Type of Activity</b>	<b>New</b>	<b>Amended</b>	<b>Repealed</b>
Number of Rules Adopted as Emergency Rules	0	1	0
Number of Rules Proposed for Permanent Adoption	1	8	8
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0

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Type of Activity	New	Amended	Repealed
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
<b>BLIND, DEPARTMENT OF SERVICES FOR THE</b>			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	11	54	10
<b>BLIND, WASHINGTON STATE SCHOOL FOR THE</b>			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	1	0	1
<b>CASCADIA COLLEGE</b>			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	11	3
Number of Rules Proposed for Permanent Adoption	0	11	3
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
<b>COMMERCE, DEPARTMENT OF</b>			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	1	0
Number of Rules Proposed for Permanent Adoption	0	5	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
<b>CORRECTIONS, DEPARTMENT OF</b>			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	10	5
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

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Type of Activity	New	Amended	Repealed
<b>EARLY LEARNING, DEPARTMENT OF</b>			
<b>Type of Activity</b>	<b>New</b>	<b>Amended</b>	<b>Repealed</b>
Number of Permanent Rules Adopted	1	0	0
Number of Rules Adopted as Emergency Rules	0	1	0
Number of Rules Proposed for Permanent Adoption	105	16	2
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
<b>EASTERN WASHINGTON UNIVERSITY</b>			
<b>Type of Activity</b>	<b>New</b>	<b>Amended</b>	<b>Repealed</b>
Number of Permanent Rules Adopted	7	7	1
Number of Rules Adopted as Emergency Rules	9	0	0
Number of Rules Proposed for Permanent Adoption	9	0	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
<b>ECOLOGY, DEPARTMENT OF</b>			
<b>Type of Activity</b>	<b>New</b>	<b>Amended</b>	<b>Repealed</b>
Number of Permanent Rules Adopted	6	6	4
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
<b>EDMONDS COMMUNITY COLLEGE</b>			
<b>Type of Activity</b>	<b>New</b>	<b>Amended</b>	<b>Repealed</b>
Number of Rules Proposed for Permanent Adoption	2	8	4
<b>EDUCATION, STATE BOARD OF</b>			
<b>Type of Activity</b>	<b>New</b>	<b>Amended</b>	<b>Repealed</b>
Number of Rules Proposed for Permanent Adoption	0	4	3
<b>EMPLOYMENT SECURITY DEPARTMENT</b>			
<b>Type of Activity</b>	<b>New</b>	<b>Amended</b>	<b>Repealed</b>
Number of Permanent Rules Adopted	15	0	0
Number of Rules Proposed for Permanent Adoption	17	5	1
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0

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Type of Activity	New	Amended	Repealed
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
<b>ENTERPRISE SERVICES, DEPARTMENT OF</b>			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	28	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
<b>EVERGREEN STATE COLLEGE, THE</b>			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	11	14	10
<b>EXECUTIVE ETHICS BOARD</b>			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	5	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
<b>FINANCIAL INSTITUTIONS, DEPARTMENT OF</b>			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	12	46	2
<b>FINANCIAL MANAGEMENT, OFFICE OF</b>			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	3	15	2
Number of Rules Proposed for Permanent Adoption	17	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

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Type of Activity	New	Amended	Repealed
<b>FISH AND WILDLIFE, DEPARTMENT OF</b>			
<b>Type of Activity</b>	<b>New</b>	<b>Amended</b>	<b>Repealed</b>
Number of Permanent Rules Adopted	13	65	6
Number of Rules Adopted as Emergency Rules	84	0	77
Number of Rules Proposed for Permanent Adoption	0	26	1
Number of Rules Withdrawn	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	2	0	2
Number of Sections Adopted in Order to Comply with Federal Statute	2	0	2
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	2	6	2
Number of Sections Adopted on the Agency's own Initiative	3	3	3
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
<b>FOREST PRACTICES BOARD</b>			
<b>Type of Activity</b>	<b>New</b>	<b>Amended</b>	<b>Repealed</b>
Number of Permanent Rules Adopted	0	7	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
<b>GAMBLING COMMISSION</b>			
<b>Type of Activity</b>	<b>New</b>	<b>Amended</b>	<b>Repealed</b>
Number of Permanent Rules Adopted	6	12	0
Number of Rules Proposed for Permanent Adoption	4	2	0
Number of Rules Withdrawn	2	5	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
<b>HEALTH CARE AUTHORITY</b>			
<b>Type of Activity</b>	<b>New</b>	<b>Amended</b>	<b>Repealed</b>
Number of Permanent Rules Adopted	3	39	9
Number of Rules Adopted as Emergency Rules	3	8	0
Number of Rules Proposed for Permanent Adoption	2	19	0
Number of Rules Withdrawn	0	2	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	1	2	3
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0

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Type of Activity	New	Amended	Repealed
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	1	2	3
Number of Sections Adopted using Pilot Rule Making	0	0	0
<b>HEALTH, DEPARTMENT OF</b>			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	11	33	8
Number of Rules Adopted as Emergency Rules	12	0	1
Number of Rules Proposed for Permanent Adoption	59	63	24
Number of Rules Withdrawn	0	2	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
<b>HORSE RACING COMMISSION</b>			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	3	11	0
Number of Rules Proposed for Permanent Adoption	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
<b>INSURANCE COMMISSIONER, OFFICE OF THE</b>			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	2	2	0
Number of Rules Proposed for Permanent Adoption	5	0	0
Number of Rules Withdrawn	4	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
<b>LABOR AND INDUSTRIES, DEPARTMENT OF</b>			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	15	21	1
Number of Rules Proposed for Permanent Adoption	154	155	343

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

**LICENSING, DEPARTMENT OF**

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	39	26	25
Number of Rules Proposed for Permanent Adoption	41	26	25
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

**LIQUOR AND CANNABIS BOARD**

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	3	3	0
Number of Rules Proposed for Permanent Adoption	5	32	1
Number of Rules Withdrawn	3	0	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

**LOTTERY, WASHINGTON STATE**

Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	4	0

**LOWER COLUMBIA COLLEGE**

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	7	8
Number of Rules Proposed for Permanent Adoption	17	7	14
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0

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Type of Activity	New	Amended	Repealed
Number of Sections Adopted using Pilot Rule Making	0	0	0
<b>NATURAL RESOURCES, DEPARTMENT OF</b>			
<b>Type of Activity</b>	<b>New</b>	<b>Amended</b>	<b>Repealed</b>
Number of Rules Proposed for Permanent Adoption	1	1	0
<b>OLYMPIC COLLEGE</b>			
<b>Type of Activity</b>	<b>New</b>	<b>Amended</b>	<b>Repealed</b>
Number of Permanent Rules Adopted	12	0	14
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
<b>PARAEDUCATOR BOARD</b>			
<b>Type of Activity</b>	<b>New</b>	<b>Amended</b>	<b>Repealed</b>
Number of Rules Adopted as Emergency Rules	5	0	0
Number of Rules Proposed for Permanent Adoption	48	0	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
<b>PARKS AND RECREATION COMMISSION</b>			
<b>Type of Activity</b>	<b>New</b>	<b>Amended</b>	<b>Repealed</b>
Number of Rules Proposed for Permanent Adoption	0	1	0
<b>PILOTAGE COMMISSIONERS, BOARD OF</b>			
<b>Type of Activity</b>	<b>New</b>	<b>Amended</b>	<b>Repealed</b>
Number of Rules Proposed for Permanent Adoption	0	1	0
<b>PROFESSIONAL EDUCATOR STANDARDS BOARD</b>			
<b>Type of Activity</b>	<b>New</b>	<b>Amended</b>	<b>Repealed</b>
Number of Permanent Rules Adopted	0	9	0
Number of Rules Proposed for Permanent Adoption	0	15	0
Number of Rules Withdrawn	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0



Washington State Register, Issue 18-13

Type of Activity	New	Amended	Repealed
<b>PUBLIC DISCLOSURE COMMISSION</b>			
<b>Type of Activity</b>	<b>New</b>	<b>Amended</b>	<b>Repealed</b>
Number of Permanent Rules Adopted	0	2	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
<b>PUBLIC EMPLOYMENT RELATIONS COMMISSION</b>			
<b>Type of Activity</b>	<b>New</b>	<b>Amended</b>	<b>Repealed</b>
Number of Rules Proposed for Permanent Adoption	1	0	0
<b>PUBLIC INSTRUCTION, SUPERINTENDENT OF</b>			
<b>Type of Activity</b>	<b>New</b>	<b>Amended</b>	<b>Repealed</b>
Number of Permanent Rules Adopted	5	13	1
Number of Rules Adopted as Emergency Rules	6	3	1
Number of Rules Proposed for Permanent Adoption	66	17	47
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
<b>RETIREMENT SYSTEMS, DEPARTMENT OF</b>			
<b>Type of Activity</b>	<b>New</b>	<b>Amended</b>	<b>Repealed</b>
Number of Permanent Rules Adopted	1	4	0
Number of Rules Proposed for Permanent Adoption	7	4	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
<b>REVENUE, DEPARTMENT OF</b>			
<b>Type of Activity</b>	<b>New</b>	<b>Amended</b>	<b>Repealed</b>
Number of Permanent Rules Adopted	2	4	0
Number of Rules Adopted as Emergency Rules	1	1	0
Number of Rules Proposed for Permanent Adoption	3	20	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0

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<b>Type of Activity</b>	<b>New</b>	<b>Amended</b>	<b>Repealed</b>
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
<b>SECRETARY OF STATE</b>			
<b>Type of Activity</b>	<b>New</b>	<b>Amended</b>	<b>Repealed</b>
Number of Permanent Rules Adopted	0	16	0
Number of Rules Adopted as Emergency Rules	0	1	0
Number of Rules Proposed for Permanent Adoption	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
<b>SHORELINE COMMUNITY COLLEGE</b>			
<b>Type of Activity</b>	<b>New</b>	<b>Amended</b>	<b>Repealed</b>
Number of Permanent Rules Adopted	0	0	10
Number of Rules Proposed for Permanent Adoption	0	0	10
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
<b>SKAGIT VALLEY COLLEGE</b>			
<b>Type of Activity</b>	<b>New</b>	<b>Amended</b>	<b>Repealed</b>
Number of Permanent Rules Adopted	0	0	1
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	1
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	1
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	1
Number of Sections Adopted using Negotiated Rule Making	0	0	1
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
<b>SOCIAL AND HEALTH SERVICES, DEPARTMENT OF</b>			
<b>Type of Activity</b>	<b>New</b>	<b>Amended</b>	<b>Repealed</b>
Number of Permanent Rules Adopted	330	44	268
Number of Rules Adopted as Emergency Rules	3	37	6
Number of Rules Proposed for Permanent Adoption	28	172	193
Number of Rules Withdrawn	1	34	5
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0

**Washington State Register, Issue 18-13**

<b>Type of Activity</b>	<b>New</b>	<b>Amended</b>	<b>Repealed</b>
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

**SPOKANE, COMMUNITY COLLEGES OF**

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

**TRANSPORTATION IMPROVEMENT BOARD**

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

**TRANSPORTATION, DEPARTMENT OF**

<b>Type of Activity</b>	<b>New</b>	<b>Amended</b>	<b>Repealed</b>
Number of Rules Adopted as Emergency Rules	6	9	0
Number of Rules Proposed for Permanent Adoption	9	15	4
Number of Rules Withdrawn	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

**TREASURER, OFFICE OF THE STATE**

<b>Type of Activity</b>	<b>New</b>	<b>Amended</b>	<b>Repealed</b>
Number of Permanent Rules Adopted	1	0	1
Number of Rules Proposed for Permanent Adoption	1	0	1

**Washington State Register, Issue 18-13**

<b>Type of Activity</b>	<b>New</b>	<b>Amended</b>	<b>Repealed</b>
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
<b>UTILITIES AND TRANSPORTATION COMMISSION</b>			
<b>Type of Activity</b>	<b>New</b>	<b>Amended</b>	<b>Repealed</b>
Number of Permanent Rules Adopted	9	4	0
Number of Rules Proposed for Permanent Adoption	0	14	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	9	4	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
<b>WASHINGTON STATE PATROL</b>			
<b>Type of Activity</b>	<b>New</b>	<b>Amended</b>	<b>Repealed</b>
Number of Permanent Rules Adopted	6	0	0
Number of Rules Proposed for Permanent Adoption	6	0	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
<b>WENATCHEE VALLEY COLLEGE</b>			
<b>Type of Activity</b>	<b>New</b>	<b>Amended</b>	<b>Repealed</b>
Number of Permanent Rules Adopted	0	2	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	2	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	2	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
<b>WESTERN WASHINGTON UNIVERSITY</b>			
<b>Type of Activity</b>	<b>New</b>	<b>Amended</b>	<b>Repealed</b>
Number of Permanent Rules Adopted	0	2	0
Number of Rules Proposed for Permanent Adoption	11	4	0

Type of Activity	New	Amended	Repealed
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
<b>WHATCOM COMMUNITY COLLEGE</b>			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	32	0	26
<b>TOTALS FOR THE QUARTER:</b>			
Number of Permanent Rules Adopted	528	415	377
Number of Rules Adopted as Emergency Rules	129	70	85
Number of Rules Proposed for Permanent Adoption	713	791	735
Number of Rules Withdrawn	10	47	5
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	16	7	5
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	17	2	3
Number of Sections Adopted in Order to Comply with Federal Statute	2	0	2
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	11	13	3
Number of Sections Adopted on the Agency's own Initiative	3	4	5
Number of Sections Adopted using Negotiated Rule Making	0	0	1
Number of Sections Adopted using Other Alternative Rule Making	1	3	4
Number of Sections Adopted using Pilot Rule Making	0	0	0

**WSR 18-13-006**  
**POLICY STATEMENT**  
**OFFICE OF THE**  
**INSURANCE COMMISSIONER**  
 [Filed June 6, 2018, 3:44 p.m.]

**Technical Assistance Advisory (TAA) 2018-01<sup>1</sup>**

<sup>1</sup> This advisory is an interpretive policy statement released to advise the public of the office of the insurance commissioner's current opinions, approaches, and likely courses of action. It is advisory only. RCW 34.05.230(1).

**TO:** All insurers transacting business in the state of Washington.

**FROM:** Insurance Commissioner, Mike Kreidler.

**DATE:** April 18, 2018.

**SUBJECT:** Implementation Credits as Illegal Inducement or Rebate.

**Background:** The insurance commissioner has become aware that requests for "implementation credits" are becoming increasingly common in the insurance industry. "Implementation credit" is an insurance industry term that includes the payment by an insurer<sup>2</sup> to an insured, typically a group policyholder, in order to offset expenses incurred by an employer or group customer in changing coverages from one

insurer to another, or for otherwise implementing new insurance coverage.

<sup>2</sup> "Insurer," for purposes of RCW 48.30.140(1) and this TAA includes, but is not limited to, insurers operating with a certificate of authority under chapter 48.05 RCW, health care service contractors regulated under chapter 48.44 RCW, and health maintenance organizations regulated under chapter 48.46 RCW.

Credit requests are especially common in requests for proposals issued by employers with many employees, in connection with soliciting bids for a variety of insurance coverages including life, dental, vision, and disability benefits. Some of these large or group employers may include state or local government entities.

**Illegal Inducements or Rebates:** However, an insurer paying, offering, promising or agreeing to pay implementation credits violates Washington insurance law as an illegal inducement or rebating. The specific Washington insurance law provision that prohibits implementation credits clearly indicates no insurer may pay, offer, promise, allow, give or set off to any insured any rebate, discount, or other benefit, or other valuable consideration that is not contained in the policy as an inducement to insurance, or after insurance has been effected.<sup>3</sup> An inducement to insurance is any offer, gift, or

promise of some benefit or value to a person in order to persuade that person to obtain insurance coverage.<sup>4</sup>

<sup>3</sup> RCW 48.30.140(1).

<sup>4</sup> OIC Final Order 16-0219, pages 9-10; RCW 48.30.140(1).

Implementation credits violate this Washington insurance law. The implementation credits are intended to induce a potential customer to obtain insurance with the offering insurer. Implementation credits are often very valuable, sometimes worth hundreds of thousands of dollars, and are a significant benefit to the recipient. The use of implementation credits constitutes an illegal inducement or rebate within the meaning of Washington law and is, therefore, prohibited.

**Insurance Commissioner's Action:** As the use of implementation credits by an insurer violates Washington law, offering, promising, allowing, giving or paying any such credits is prohibited in any insurance transaction. Further, such credits should not be requested by any customer, regardless of size or governmental status.

Any filings seeking the insurance commissioner's approval that include implementation credits have been or will be rejected.<sup>5</sup>

<sup>5</sup> RCW 48.18.100.

An insurer that offers, allows, sets off, gives or pays an implementation credit in Washington has committed an insurance law violation and will be subject to enforcement actions, which may include an order to cease and desist, a fine, or a combination of penalties.<sup>6</sup>

<sup>6</sup> RCW 48.05.185, 48.44.166, 48.46.135, 48.02.080.

Please direct any questions about this advisory to Darryl E. Colman, Insurance Enforcement Specialist, DarrylC@oic.wa.gov, or 360-725-7118.

**WSR 18-13-019**  
**PUBLIC RECORDS OFFICER**  
**BOARD OF INDUSTRIAL**  
**INSURANCE APPEALS**

[Filed June 8, 2018, 9:28 a.m.]

Pursuant to RCW 42.56.580, the public records officer for the board of industrial insurance appeals is Jasmine McLaughlin, P.O. Box 42401, Olympia, WA 98504-2401, phone 360-753-6823, fax 360-586-5611, email jasmine.mclaughlin@biia.wa.gov.

Jay Raish  
Confidential Secretary

**WSR 18-13-024**  
**NOTICE OF PUBLIC MEETINGS**  
**COMMISSION ON**  
**ASIAN PACIFIC AMERICAN AFFAIRS**

[Filed June 8, 2018, 1:58 p.m.]

The Washington state commission on Asian Pacific American affairs will convene a regular meeting on June 16, 2018, at 9:30 a.m. - 1:00 p.m., at Yakima Valley College, West Nob Hill Boulevard and South 16th Avenue, Yakima, WA 98902.

If you need further information contact Sam Le, 210 11th Avenue S.W., Suite 301A, Olympia, WA 98504, 360-725-5667, sam.le@capaa.wa.gov, www.capaa.wa.gov.

**WSR 18-13-026**  
**AGENDA**  
**DEPARTMENT OF**  
**FINANCIAL INSTITUTIONS**

[Filed June 8, 2018, 3:24 p.m.]

**Semi-Annual Agenda for Rules Under Development**  
**July 1 - December 31, 2018**

**PUBLIC RECORDS ACT RULE MAKING**

- Public Records Act. Finalize adoption of rules under chapter 208-12 WAC (public records) to be consistent with recent amendments to the Public Records Act, chapter 42.56 RCW (EHB 1595, chapter 304, Laws of 2017). The rules will also be amended to make some technical and housekeeping changes, and update information related to the department of financial institutions' public records request process. This chapter applies to all divisions within the agency.

**DIVISION OF BANKS**

- Banks and trusts. Amend chapter 208-536 WAC for technical clean-up and compatibility with the enabling provisions of Title 30B RCW, Washington Trust Institutions Act, which became effective on January 5, 2015. Contemplated revisions include additional clarification on:
  - Frequency of trust company examinations.
  - Insurance requirements.
  - Background checks requirements for officers, directors, and principal shareholders.
  - Additional "outside" director requirements.
  - Call report definitions and submission requirements.
  - Capital requirements.
  - Dividends.
  - Pledging prohibitions and exceptions.
  - Patriot Act, Bank Secrecy Act, and antimoney laundering requirements.
  - Compatibility with OCC collective investment trust fund rules.
  - Other miscellaneous changes including updating to gender-neutral language, updating internal citations

to RCW and WAC, and any other technical cleanup, as needed.

**DIVISION OF CONSUMER SERVICES**

- Consumer Loan Act. Finalize and adopt rules under chapter 208-620 WAC to allocate the residential mortgage loan servicing requirements in the act between investors, master servicers and subservicers.
- Uniform Money Services Act. Finalize and adopt rules under chapter 208-690 WAC to implement chapter 30, Laws of 2017. Examples include clarifying if necessary the new definition of virtual currency; further clarifying the payment processing and other exemptions; delineating when a currency exchange company must have a bond for their online activity; further clarifying the new time frame by which companies must identify and report their authorized delegates to the department; further clarifying the permissible investment requirements for companies that transmit virtual currency; and further clarifying the disclosure requirements for virtual currency transmitters.
- Student Education Loan Servicers. Adopt rules to implement chapter 62, Laws of 2018, under the Consumer Loan Act, chapter 31.04 RCW. The law (E2SSB 6029) creates a full regulatory program for companies that service student education loans. The rules will include definitions, exemptions for certain private educational institutions, affirmative activities licensees must conduct, and prohibited practices that may subject noncompliant companies to enforcement action. The rules will also set fees and an assessment to fund the agency's regulation of the industry and will direct a portion of the assessment to fund a student education loan advocate in the Washington student achievement council.

**DIVISION OF CREDIT UNIONS**

- Member business loans. Continue to work with the National Credit Union Administration towards agreement on the proposed member business loans rule, chapter 208-460 WAC.
- Credit union investment practices. Start rule making to modernize the investment rule, chapter 208-436 WAC (last updated in 1996).

**DIVISION OF SECURITIES**

- Investment adviser and broker-dealer fees. Adopt rules to increase filing fees for investment advisers, broker-dealers, investment adviser representatives, and securities salespersons upward by no more than \$15 pursuant to SB 6024 (2018).
- Adoption of the North American Securities Administrators Association (NASAA) statements of policy. Amendment of WAC 460-16A-205, which sets forth NASAA statements of policy adopted by the securities administrator. Since the rule was last amended, NASAA has recently amended or promulgated statements of policy in connection with state-registered securities offerings. The division intends to amend its rules to reference the updated statements of policy and incorporate a reference to a new statement of policy relating to electronic

offering documents and electronic signatures in connection with registered securities offerings.

- Investment advisers. Amendments to investment adviser rules contained in chapter 460-24A WAC to adopt newly promulgated NASAA model rules applicable to investment advisers, make revisions to reflect changes in state and federal law, and make other clarifying and technical updates.
- Exempt securities. Amend WAC 460-42A-030, which establishes an exemption from registration for municipal securities that are highly rated to make technical corrections.
- Franchise registration. Amendment of chapter 460-80 WAC to mandate electronic filing of applications for franchise registration.
- Exempt transactions. Amend WAC 460-44A-503 to mandate electronic filing of Rule 506 exempt offering notice filings through the electronic filing depository system.
- Exempt transactions. Amend chapter 460-44A WAC to make certain ministerial updates to these exempt transaction rules in light of amendments to related federal rules.

**WSR 18-13-027**

**NOTICE OF PUBLIC MEETINGS  
BELLEVUE COLLEGE**

[Filed June 10, 2018, 4:28 p.m.]

The following is the schedule of regular meetings for the board of trustees of Community College District VIII for Bellevue College. The meetings will be held in the Board Room (B201) at Bellevue College, 3000 Landerholm Circle S.E., Bellevue, WA, on the following dates unless otherwise noted:

Date	Time	Location
September 6, 2017	12:30 p.m.	Bellevue College
October 18, 2017	1:00 p.m. special meeting	Bellevue College
November 8, 2017 - rescheduled from November 15	12:30 p.m.	Bellevue College
November 29, 2017	8:00 a.m. all-day retreat	Bellevue College
January 10, 2018	12:30 p.m. special meeting	Bellevue College
February 7, 2018	12:30 p.m.	Bellevue College
March 7, 2018	12:30 p.m.	Bellevue College
April 25, 2018	2:30 p.m.	Bellevue College
June 6, 2018	11:30 a.m.	Bellevue College
June 20, 2018	12:00 p.m. special meeting	Bellevue College
June 21, 2018	8:00 a.m. retreat	Mercer Island Community Center

If you need any further information, please contact Donna Sullivan, 3000 Landerholm Circle S.E., Bellevue,

WA 98007, voice 425-564-2302, fax 425-564-2261, donna.sullivan@bellevuecollege.edu.

10th Avenue S.E., Lacey, WA 98504, 360-725-3703, TDD/TTY 1-800-833-6384, email Richard.vancleave@dshs.wa.gov.

**WSR 18-13-030**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF LICENSING**

[Filed June 11, 2018, 11:30 a.m.]

**2018 Regulatory Board Meetings**

Collection Agency Board

Date	Location	Start Time
June 29, 2018	Department of Licensing 405 Black Lake Boulevard Olympia, WA 98507	10:00 a.m.

**WSR 18-13-032**  
**HEALTH CARE AUTHORITY**

[Filed June 11, 2018, 1:01 p.m.]

**NOTICE**

Title or Subject: Medicaid State Plan Amendment (SPA) 18-0017 Agency Organization.

Effective Date: July 1, 2018.

Description: The health care authority (HCA) and the division of behavioral health and recovery (DBHR) in the department of social and health services (DSHS) intend to submit medicaid SPA 18-0017 to reflect HCA's organizational structure after implementing 2ESHB 1388. This bill integrates physical health and behavioral health by transferring the functions of the state behavioral health authority from DSHS to HCA. While SESHB [2ESHB] 1388 also transfers the licensing and certification of behavioral health agencies from DSHS to the department of health (DOH), the medicaid state plan does not describe DOH's organizational structure. Therefore, SPA 18-0017 will describe only HCA's organizational structure resulting from the integration of physical and behavioral health services.

SPA 18-0017 is expected to have no effect on the annual aggregate expenditures/payments for any of the services provided through HCA- or DBHR-contracted providers, as the SPA is simply updating organizational information in the state plan.

SPA 18-0017 is in the development process; therefore, a copy is not yet available for review. HCA and DBHR would appreciate any input or concerns regarding this SPA. To request a copy when it becomes available, you may contact the agency in your county listed on the following pages or the people named below. To submit comments, please contact the people named below (please note that all comments are subject to public review and disclosure, as are the names of those who comment).

**CONTACTS:** Ann Myers, State Plan Coordinator, 626 8th Avenue S.E., Olympia, WA 98501, phone 360-725-1345, TDD/TTY 1-800-848-5429, email ann.myers@hca.wa.gov; or Richard VanCleave, Federal Programs Manager, 4500

**County Contacts**

**Adams County**

Adams County Health Department  
 108 West Main  
 Ritzville, WA 99169  
 Phone (509) 659-3315

**Asotin County**

Clarkston Home and Community Services Office  
 525 Fifth Street  
 Clarkston, WA 99403  
 Web site <http://www.altcWashington.com>  
 Phone (509) 751-4672  
 Alt. Phone 1-800-310-4881  
 Fax (509) 758-4593

**Benton County**

Tri-Cities Home and Community Services Office  
 500 North Morain Street  
 Suite 2210  
 Kennewick, WA 99336  
 Phone (509) 374-2100  
 Alt. Phone 1-800-310-4833  
 Fax (509) 374-7559

**Chelan County**

Chelan Community Services Office  
 805 South Mission Street  
 Wenatchee, WA 98801  
 Phone (509) 667-6000

**Clallam County**

Port Angeles Home and Community Services Office  
 235 West 1st Street  
 Port Angeles, WA 98362  
 Phone (360) 565-2160  
 Alt. Phone 1-800-280-9891  
 TTY (360) 417-5651  
 Fax (360) 417-1416

**Clark County**

Vancouver Home and Community Services Office  
 800 N.E. 136th Avenue  
 Suite 220  
 Vancouver, WA 98684  
 Phone (360) 397-9500  
 Alt. Phone 1-800-280-0586  
 TTY (360) 750-4079  
 Fax (360) 992-7949

**Columbia County**

Aging and Disability Resource Center  
 410 East Main  
 Dayton, WA 99328  
 Web site <http://www.altcWashington.com/>  
 Phone (509) 382-4787



**Cowlitz County**

Kelso Home and Community Services Office  
711 Vine Street  
Kelso, WA 98626  
Phone (360) 501-2500  
Alt. Phone 1-800-605-7322  
TTY (360) 577-7591  
Fax (360) 578-4106

**Douglas County**

Wenatchee Home and Community Services Office  
50 Simon Street S.E.  
Suite B  
East Wenatchee, WA 98802  
Phone (509) 886-6140  
Alt. Phone 1-800-670-8874  
Fax (509) 886-6221

**Ferry County**

Republic Home and Community Services Office  
89 East Delaware  
Republic, WA 99166  
Phone (509) 775-2227  
Alt. Phone 1-888-437-0516  
TTY (509) 775-2661  
Fax (509) 775-2401

**Franklin County**

Franklin County Commissioners Office  
1016 North 4th Avenue  
Pasco, WA 99301  
Phone (509) 545-3535

**Garfield County**

Garfield County District Court  
789 West Main Street  
P.O. Box 817 or 819  
Pomeroy, WA 99347  
Phone (509) 843-1002

**Grant County**

Moses Lake Home and Community Services Office  
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

**Grays Harbor County**

Aberdeen Home and Community Services Office  
415 West Wishkah Street  
Suite A2  
Aberdeen, WA 98520  
Phone (360) 533-9222  
Alt. Phone 1-800-487-0119  
TTY (360) 533-9730  
Fax (360) 533-9782

**Island County**

Oak Harbor Home and Community Services Office  
900 East College Way  
Suite 210

Mt. Vernon, WA 98273  
Phone (360) 429-2961  
Alt. Phone 1-866-608-0836  
Fax (360) 429-2958

**Jefferson County**

Port Townsend Home and Community Services Office  
915 Sheridan Street  
Suite 201  
Port Townsend, WA 98368  
Phone (360) 379-4326  
Alt. Phone 1-800-280-9991  
Fax (360) 344-4600

**King County**

King County Home and Community Services Office  
1737 Airport Way South  
Suite 130  
P.O. Box 24847  
Seattle, WA 98134  
Phone (206) 341-7750  
Alt. Phone 1-800-346-9257  
TTY 1-800-833-6384

**Kitsap County**

Bremerton Home and Community Services Office  
4710 Auto Center Boulevard  
Bremerton, WA 98312  
Phone (360) 473-2299  
Alt. Phone 1-800-422-7114  
TTY (360) 478-4928  
Fax (360) 478-6467

**Kittitas County**

Ellensburg Home and Community Services Office  
100 East Jackson Avenue  
Suite 100  
Ellensburg, WA 98926  
Phone (509) 925-0433  
Alt. Phone 1-800-310-4999  
Fax (509) 962-7755

**Klickitat County**

White Salmon Home and Community Services Office  
221 North Main Street  
White Salmon, WA 98672  
Phone (509) 493-6157  
Alt. Phone 1-800-504-1180

**Lewis County**

Chehalis Home and Community Services Office  
3451 Galvin Road  
Centralia, WA 98531  
Phone (360) 807-7150  
Alt. Phone 1-800-487-0360  
Fax (360) 330-7552

**Lincoln County**

Lincoln County Health Department  
90 Nicholls Street  
Davenport, WA 99122  
Phone (509) 725-1001

**Mason County**

Shelton Home and Community Services Office  
 2505 Olympic Highway North  
 Suite 440  
 Shelton, WA 98584  
 Phone (360) 664-9050  
 Alt. Phone 1-800-462-4957  
 Fax (360) 432-2045

**Okanogan County**

Omak Home and Community Services Office  
 130 South Main  
 Omak, WA 98841  
 Phone (509) 846-2103  
 Alt. Phone 1-888-437-0529  
 TTY (509) 826-7389  
 Fax (509) 826-7439

**Pacific County**

South Bend Home and Community Services Office  
 307 East Robert Bush Drive  
 P.O. Box 87  
 South Bend, WA 98586  
 Phone (360) 875-4222  
 Alt. Phone 1-800-458-3747  
 Fax (360) 875-0590

**Pend Oreille County**

Newport Home and Community Services Office  
 1600 West First Avenue  
 Newport, WA 99156  
 Phone (509) 447-6223  
 Alt. Phone 1-888-437-0516  
 Fax (509) 447-5256

**Pierce County**

Tacoma Home and Community Services Office  
 1949 South State Street  
 Tacoma, WA 98405  
 Phone (253) 476-7200  
 Alt. Phone 1-800-442-5129  
 TTY (253) 593-5471  
 Fax (253) 597-4161

**San Juan County**

San Juan County Health Services  
 145 Rhone Street  
 Friday Harbor, WA 98250  
 Phone (360) 378-4474  
 Fax (360) 378-7036

**Skagit County**

Mount Vernon Home and Community Services Office  
 900 East College Way  
 Suite 210  
 Mt. Vernon, WA 98273  
 Phone (360) 429-2961  
 Alt. Phone 1-866-608-0836  
 Fax (360) 416-7401

**Skamania County**

Stevenson Home and Community Services Office  
 266 S.W. Second Street

P.O. Box 817  
 Stevenson, WA 98648  
 Phone (509) 427-5611  
 Alt. Phone 1-800-505-4203  
 Fax (509) 427-4604

**Snohomish County**

Smokey Point Home and Community Services Office  
 3906 172nd Street N.E.  
 Suite 101  
 Arlington, WA 98223  
 Phone (360) 651-6800  
 Alt. Phone 1-800-827-2984  
 Fax (360) 651-6832

**Spokane County**

Spokane Home and Community Services Office  
 1330 North Washington Street  
 Suite 3000  
 Spokane, WA 99201  
 Phone (509) 568-3700  
 Alt. Phone 1-800-459-0421  
 TTY (509) 568-3697  
 Fax (509) 568-3771

**Stevens County**

Colville Home and Community Services Office  
 1100 South Main  
 Colville, WA 99114  
 Phone (509) 685-5644  
 Alt. Phone 1-800-437-0516  
 Fax (509) 684-7430

**Thurston County**

Tumwater Home and Community Services Office  
 6639 Capitol Boulevard S.W.  
 Tumwater, WA 98512  
 Phone (360) 664-9050  
 Alt. Phone 1-800-462-4957  
 TTY (360) 407-1678  
 Fax (360) 664-9107

**Wahkiakum County**

Health and Human Services  
 42 Elochoman Valley Road  
 Cathlamet, WA 98612  
 Phone (360) 795-8630  
 Alt. Phone 1-800-635-5989

**Walla Walla County**

Walla Walla Home and Community Services Office  
 206 West Poplar  
 Walla Walla, WA 99362  
 Phone (509) 524-4960  
 Alt. Phone 1-800-310-5678  
 Fax (509) 527-4142

**Whatcom County**

Bellingham Home and Community Services Office  
 600 Lakeway Drive  
 Bellingham, WA 98225  
 Phone (360) 756-5750  
 Alt. Phone 1-800-239-8292

Fax (360) 676-2239

**Whitman County**

Colfax Home and Community Services Office  
418 South Main Street  
Suite 3  
Colfax, WA 99111  
Phone (509) 397-5091  
Alt. Phone 1-800-459-0421  
Fax (509) 397-4323

**Yakima County**

Yakima Home and Community Services Office  
1002 North 16th Avenue  
Yakima, WA 98902  
Phone (509) 225-4400  
Alt. Phone 1-800-822-2097  
Fax (509) 575-2286

**WSR 18-13-034**  
**RULES OF COURT**  
**STATE SUPREME COURT**  
[June 7, 2018]

IN THE MATTER OF THE PROPOSED ) ORDER  
AMENDMENTS TO RPC 1.6—CONFI- ) NO. 25700-A-1222  
DENTIALITY OF INFORMATION, RPC )  
7.3—SOLICITATION OF CLIENTS, )  
AND RPC 8.4—MISCONDUCT )

The Washington State Bar Association, having recommended the adoption of the proposed amendments to RPC 1.6—Confidentiality of Information, RPC 7.3—Solicitation of Clients, and RPC 8.4—Misconduct, and the Court having considered the amendments and comments submitted thereto, and having determined that the proposed amendments will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

(a) That the proposed amendments as shown below are adopted.

(b) That the proposed amendments will be published in the Washington Reports and will become effective on September 1, 2018.

DATED at Olympia, Washington this 7th day of June, 2018.

	Fairhurst, C.J.
Johnson, J.	Wiggins, J.
Madsen, J.	Gonzalez, J.
Owens, J.	Gordon McCloud, J.
Stephens, J.	Yu, J.

**RPC 1.6**  
**CONFIDENTIALITY OF INFORMATION**

(a) A lawyer shall not reveal information relating to the representation of a client unless the client gives informed

consent, the disclosure is impliedly authorized in order to carry out the representation or the disclosure is permitted by paragraph (b).

(b) A lawyer to the extent the lawyer reasonably believes necessary:

(1) - (5) Unchanged.

(6) may reveal information relating to the representation of a client to comply with a court order; or

(7) may reveal information relating to the representation to detect and resolve conflicts of interest arising from the lawyer's change of employment or from changes in the composition or ownership of a firm, but only if the revealed information would not compromise the attorney-client privilege or otherwise prejudice the client; or

(8) may reveal information relating to the representation of a client to inform a tribunal about any client's breach of fiduciary responsibility when the client is serving as a court appointed fiduciary such as a guardian, personal representative, or receiver.

(c) Unchanged.

**RPC 7.3**  
**SOLICITATION OF CLIENTS**

(a) A lawyer shall not, directly or through a third person, by in-person, live telephone, or real-time electronic contact solicit professional employment from a possible client when a significant motive for the lawyer's doing so is the lawyer's pecuniary gain, unless the person contacted:

(1) - (3) Unchanged.

(b) A lawyer shall not solicit professional employment from a client by written, recorded or electronic communication or by in-person, telephone or real-time electronic contact even when not otherwise prohibited by paragraph (a), if;

(1) the target of the solicitation has made known to the lawyer a desire not to be solicited by the lawyer; or

(2) the solicitation involves coercion, duress or harassment.

(c) - (d) Unchanged.

**RULES OF PROFESSIONAL CONDUCT (RPC)**  
**RULE 8.4 - MISCONDUCT**

It is professional misconduct for a lawyer to:

(a) - (f) [Unchanged.]

(g) commit a discriminatory act prohibited by state law on the basis of sex, race, age, creed, religion, color, national origin, disability, sexual orientation, honorably discharged veteran or military status, or marital status, where the act of discrimination is committed in connection with the lawyer's professional activities. In addition, it is professional misconduct to commit a discriminatory act on the basis of sexual orientation if such an act would violate this Rule when committed on the basis of sex, race, age, creed, religion, color, national origin, disability, honorably discharged veteran or military status, or marital status. This Rule shall not limit the ability of a lawyer to accept, decline, or withdraw from the representation of a client in accordance with Rule 1.16;

(h) in representing a client, engage in conduct that is prejudicial to the administration of justice toward judges, lawyers, or LLLTs, other parties, witnesses, jurors, or court personnel or officers, that a reasonable person would interpret as manifesting prejudice or bias on the basis of sex, race,

age, creed, religion, color, national origin, disability, sexual orientation, honorably discharged veteran or military status, or marital status. This Rule does not restrict a lawyer from representing a client by advancing material factual or legal issues or arguments.

(i) - (n) [Unchanged.]

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

Reviser's note: The typographical errors in the above material occurred in the copy filed by the State Supreme Court and appear in the Register pursuant to the requirements of RCW 34.08.040.

WSR 18-13-035
RULES OF COURT
STATE SUPREME COURT
[June 7, 2018]

IN THE MATTER OF THE PROPOSED ) ORDER
AMENDMENT TO RAP 2.4(c)—SCOPE ) NO. 25700-A-1223
OF REVIEW OF A TRIAL COURT )
DECISION )

The Court of Appeals' Rules Committee, having recommended the adoption of the proposed amendment to RAP 2.4(c)—Scope of Review of a Trial Court Decision, and the Court having considered the amendment and comments submitted thereto, and having determined that the proposed amendment will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

(a) That the proposed amendment as shown below is adopted.

(b) That the proposed amendment will be published in the Washington Reports and will become effective on September 1, 2018.

DATED at Olympia, Washington this 7th day of June, 2018.

Johnson, J.
Madsen, J.
Owens, J.
Stephens, J.
Fairhurst, C.J.
Wiggins, J.
Gonzalez, J.
Gordon McCloud, J.
Yu, J.

RULES OF APPELLATE PROCEDURE
RULE 2.4
SCOPE OF REVIEW OF A TRIAL COURT DECISION

(a) - (b) [Unchanged.]

(c) Final Judgment Not Designated in Notice. Except as provided in rule 2.4(b), the appellate court will review a final judgment not designated in the notice only if the notice designates an order deciding a timely post-trial motion based on (1) CR 50(b) (judgment as a matter of law), (2) CR 52(b) (amendment of findings), (3) CR 59 (reconsideration, new

trial, and amendment of judgments), (4) CrR 7.4 (arrest of judgment), or (5) CrR 7.5 (new trial).

(d) - (g) [Unchanged.]

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

WSR 18-13-036
RULES OF COURT
STATE SUPREME COURT
[June 7, 2018]

IN THE MATTER OF THE PROPOSED ) ORDER
AMENDMENT TO APR 8—LIMITED ) NO. 25700-A-1224
ADMISSIONS )

Ms. Kristy Healing and the Commission on Children in Foster Care, having recommended the adoption of the proposed amendment to APR 8—Limited Admissions, and the Court having considered the amendment and comments submitted thereto, and having determined that the proposed amendment will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

(a) That the proposed amendment as shown below is adopted.

(b) That the proposed amendment will be published in the Washington Reports and will become effective on September 1, 2018.

DATED at Olympia, Washington this 7th day of June, 2018.

Johnson, J.
Madsen, J.
Owens, J.
Stephens, J.
Fairhurst, C.J.
Wiggins, J.
Gonzalez, J.
Gordon McCloud, J.
Yu, J.

APR 8
LIMITED ADMISSIONS

(a) In General. Lawyers admitted to the practice of law in any state or territory of the United States or the District of Columbia or in any foreign jurisdiction, who do not meet the requirements of rule 1(b) or 3(c), may engage in the limited practice of law in this state as provided in this rule.

(b) Exception for Particular Action or Proceeding. A lawyer member in good standing of, and permitted to practice law in, the bar of any other state or territory of the United States or of the District of Columbia, or a lawyer who is providing legal services for no fee through a qualified legal services provider pursuant to rule 8(f), may appear as a lawyer in any action or proceeding only

(i) with the permission of the court or tribunal in which the action or proceeding is pending, and

(ii) in association with an active member of the Washington State Bar Association, who shall be the lawyer of

record therein, responsible for the conduct thereof, and present at proceedings unless excused by the court or tribunal. The requirement in (ii) is waived for a lawyer who is a full-time active duty military officer serving in the office of a Staff Judge Advocate of the United States Army, Air Force, Navy, Marines, or Coast Guard, or a Naval Legal Service Office or a Trial Service Office, located in the State of Washington.

(1) An application to appear as such a lawyer shall be made by written motion to the court or tribunal before whom the action or proceeding is pending, in a form approved by the Board of Governors, which shall include certification by the lawyer seeking admission under this rule and the associated Washington lawyer that the requirements of this rule have been complied with, and shall include an indication on which date the fee and assessment required in part (2) were paid, or indicating that the fee and assessment were waived pursuant to part (2). The motion shall be heard by the court or tribunal after such notice to the Washington State Bar Association as is required in part (2) below, together with the required fee and assessment, unless waived pursuant to part (2), and to adverse parties as the court or tribunal shall direct. Payment of the required fee and assessment shall only be necessary upon a lawyer's first application to any court or tribunal in the same case. The court or tribunal shall enter an order granting or refusing the motion, and, if the motion is refused, the court or tribunal shall state its reasons.

(2) The lawyer making the motion shall submit a copy of the motion to the Washington State Bar Association accompanied by,

(A) a nonrefundable fee in each case in an amount equal to the license fee required of active lawyer members of the Bar, and

(B), the Client Protection assessment as required of active lawyer members of the Bar.

(3) Payment of the fee and assessment shall only be necessary upon a lawyer's first motion to any court or tribunal in the same case. The associated Washington counsel shall be jointly responsible for payment of the fee and assessment. The fee and assessment shall be waived for:

(A) a lawyer providing legal services for no fee through a qualified legal services provider pursuant to rule 8(f).

(B) a lawyer rendering service for no fee in either a bar association or governmentally sponsored legal services organization or in a public defender's office or similar program providing legal services to indigents and only in that capacity, or

(C) a lawyer who is a full-time active duty military officer serving in the office of a Staff Judge Advocate of the United States Army, Air Force, Navy, Marines, or Coast Guard, a Naval Legal Service Office or a Trial Service Office, located in the State of Washington, and who is not receiving any compensation from clients in addition to the military pay to which they are already entitled.

(4) The Bar shall maintain a public record of all motions for permission to practice pursuant to this rule.

(5) No member of the Bar Association shall lend his or her name for the purpose of, or in any way assist in, avoiding the effect of this rule.

(6) Exception for Indian Child Welfare Cases. A member in good standing of, and permitted to practice law in, the bar of any other state or territory of the United States or of the District of Columbia, may appear as a lawyer in an action or proceeding, and shall not be required to comply with the association of counsel and fee and assessment requirements of subsection (b) of this rule, if the applicant establishes to the satisfaction of the Court that:

(A) The applicant seeks to appear in a Washington Court for the limited purpose of participating in a child custody proceeding as defined by RCW 13.38.040, pursuant to the Washington State Indian Child Welfare Act, Ch. 13.38 RCW or by 25 U.S.C. § 1903, pursuant to the Indian Child Welfare Act of 1978, 25 U.S.C. § 1901 et seq.;

(B) The applicant represents an Indian tribe as defined by RCW 13.38.040 or 25 U.S.C. § 1903;

(C) The Indian child's tribe has executed an affidavit asserting the tribe's intent to intervene and participate in the state court proceeding and affirming that under tribal law (i) the child is a member or (ii) the child is eligible for membership and the biological parent of the child is a member; and,

(D) The applicant has, or will within seven (7) days of appearing on the case, provided written notice to the Washington State Bar of their appearance in the case. Such written notice shall be by providing in writing the following information: the cause number and name of the case, the attorney's name, employer, and contact information, and the bar number and jurisdiction of the applicant's license to practice law.

- (c) UNCHANGED
- (d) UNCHANGED
- (e) UNCHANGED
- (f) UNCHANGED
- (g) UNCHANGED

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

**WSR 18-13-037**  
**RULES OF COURT**  
**STATE SUPREME COURT**  
[June 7, 2018]

IN THE MATTER OF THE PROPOSED ) ORDER  
AMENDMENTS TO IRLJ 3.3—PROCE- ) NO. 25700-A-1225  
DURE AT CONTESTED HEARING )

The Washington State Bar Association, having recommended the adoption of the proposed amendments to IRLJ 3.3—Procedure at Contested Hearing, and the Court having considered the amendments and comments submitted thereto, and having determined that the proposed amendments will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

(a) That the proposed amendments as shown below are adopted.

(b) That the proposed amendments will be published in the Washington Reports and will become effective on September 1, 2018.

DATED at Olympia, Washington this 7th day of June, 2018.

	Fairhurst, C.J.
_____ Johnson, J.	_____ Wiggins, J.
_____ Madsen, J.	_____ Gonzalez, J.
_____ Owens, J.	_____ Gordon McCloud, J.
_____ Stephens, J.	_____ Yu, J.

DATED at Olympia, Washington this 7th day of June, 2018.

	Fairhurst, C.J.
_____ Johnson, J.	_____ Wiggins, J.
_____ Madsen, J.	_____ Gonzalez, J.
_____ Owens, J.	_____ Gordon McCloud, J.
_____ Stephens, J.	_____ Yu, J.

**SUGGESTED AMENDMENT  
INFRACTION RULES FOR COURTS OF LIMITED JURISDICTION  
(IRLJ)  
RULE 3.3 - PROCEDURE AT CONTESTED HEARING**

RULE IRLJ 3.3 PROCEDURE AT CONTESTED HEARING

(a) Generally. The court shall conduct the hearing for contesting the notice of infraction on the record in accordance with applicable law.

(b) Representation by Lawyer. At a contested hearing, the plaintiff shall be represented by a lawyer representative of the prosecuting authority when prescribed by local court rule. The defendant may be represented by a lawyer. If the defendant is represented by a lawyer, and the lawyer has filed a notice of appearance, including a waiver of the defendant's presence, the defendant need not personally appear at the contested hearing unless the defendant's presence is otherwise required by statute or these the court rules.

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

**WSR 18-13-038  
RULES OF COURT  
STATE SUPREME COURT**

[June 7, 2018]

IN THE MATTER OF THE SUGGESTED ) ORDER  
 AMENDMENTS TO GR 14.1—APPEN- ) NO. 25700-A-1226  
 DIX STYLE SHEET )

The Office of the Reporter of Decisions, having recommended the expeditious adoption of the suggested amendments to GR 14.1—Appendix Style Sheet, and the Court having considered the amendments and comments submitted thereto, and having determined that the suggested amendments will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

(a) That the suggested amendments as shown below are adopted.

(b) That the suggested amendments will be published expeditiously in the Washington Reports and will become effective upon publication.

**Office of Reporter of Decisions  
Style Sheet**

*Effective ~~December 8, 2015~~ July 3, 2018, and Subject to Revision*

GENERAL PRINCIPLES

1. The Twentieth Edition of *The Bluebook: A Uniform System of Citation* is the basic citation resource for Washington appellate court opinions except as noted below.

2. The latest edition of *The Chicago Manual of Style* is the authority for punctuation and style matters.

3. *Webster's Third New International Dictionary of the English Language* (as updated by the online version, *Merriam-Webster Unabridged*) is the authority for spelling, including spacing and hyphens between nouns (e.g., website, seat belt, decision-maker). Where two or more spellings are listed, use *Webster's* preferred spelling rather than the variant.

4. For matters not covered by the *Bluebook*, *The Chicago Manual of Style*, or *Webster's*, the Office of Reporter of Decisions applies formal, traditional, noncolloquial English.

5. Use and cite to official sources, which in most instances are printed publications. Do not cite to an unofficial source unless the official source is unavailable.

ABBREVIATIONS

The following abbreviations are used for citing to primary Washington legal materials. The list replaces the list of abbreviations for Washington materials found in *Bluebook* table T1.3, at 300.

TITLE	ABBREVIATION
Washington Constitution	Const. art. VI, § 1
Revised Code of Washington (Official)	RCW
Revised Code of Washington Annotated (West)	RCWA
Annotated Revised Code of Washington (LEXIS)	ARCW
Session Laws	Laws of 2002, ch. 107, § 3
special sessions	Laws of 1995, 2d Spec. Sess., ch. 14, § 21
extraordinary sessions	Laws of 1963, 1st Ex. Sess., ch. 26

TITLE	ABBREVIATION
Washington Reports, 1st & 2d Series	Wash.; Wn.2d
Washington Territory Reports	Wash. Terr.
Washington Appellate Reports	Wn. App.; <u>Wn. App. 2d</u>
Washington Administrative Code	WAC
Washington State Register	Wash. St. Reg.
<u>Early Statutes</u>	
Ballinger Code	Bal. Code
Code of 1881	Code of 1881
Hill's Code of Procedure	Hill's Code of Proc.
Hill's General Statutes	Hill's Gen. Stat.
Pierce's Code	Pierce's Code
Remington's Revised Statutes	Rem. Rev. Stat.
Remington's 1915 Code	Rem. 1915 Code

Note: In citations, "Const.," "Laws of," and the names of codes and statutes (e.g., "Code of 1881," "Rem. Rev. Stat.") are printed in the official reports in large and small caps, but ordinary typeface is acceptable in manuscript opinions. In text, both the official reports and manuscript opinions use ordinary typeface.

#### EXCEPTIONS TO BLUEBOOK

1. Exception to *Bluebook* rules 2.1 & 2.2, at 67-70: Ignore rules about using roman type for case names. Case names should be in italics no matter where or how they are used.

2. Exception to *Bluebook* rule 5.3 (b)(iv) at 86: The deletion of matter after the final punctuation of a sentence may be indicated by a three-dot ellipsis.

3. Exception to *Bluebook* rule 6.1(b) at 88: Do not use abbreviations for entities with widely recognized initials in text (unless previously set out in a parenthetical), in case citations (unless abbreviated in source) (this is also an exception to *Bluebook* rule 10.2.1(c) at 98), or as institutional authors.

4. Exceptions to *Bluebook* rule 6.2(a) at 88-89: In text, spell out numbers zero to nine. Use arabic numerals for higher numbers. Use commas in numbers 1,000 and higher (e.g., 9,876) except when citing a page number in a case or court document.

5. Exception to *Bluebook* rule 6.2(d) at 89: In text, always write out "percent" rather than using a percentage sign (%).

6. Exception to *Bluebook* rule 8, at 91-93: Ignore this section. The Reporter's Office generally follows *The Chicago Manual of Style* to resolve capitalization issues although, other than capitalizing proper nouns and maintaining consistency throughout the opinion, the judicial author's preference governs.

7. Exception to *Bluebook* rule 9(a) at 94: When a judge is named in text, the use of the judge's first and middle names/initials is discretionary with the author.

8. Exception to *Bluebook* rule 10.2.1(a) at 97: When a case has both an adversary and a nonadversary name, cite only the first case name in the official reports caption.

9. Exception to *Bluebook* rule 10.3.1, at 102-03 and Table T1: Cite official reports and regional reporters for all cases for which official reports are published. Include public domain citations when available. For California, Illinois, and New York, include the state specific reporter (Cal. Rptr. 3d, Ill. Dec., N.Y.S.2d) in addition to the official reports and regional reporters. For Washington cases, pinpoint citations are made to Wn.2d or Wn. App. pages, paragraph numbers, or both; pinpoint citations to P., P.2d, or P.3d pages are optional; pinpoint citations should not be made to P.3d paragraph numbers. For non-Washington cases, pinpoint citations are made to the official report or the unofficial report. Maintain consistency throughout the opinion.

10. Exception to *Bluebook* rule 10.7, at 109-11: *Review denied* and *review granted*: for Washington cases, cite to Wash. or Wn.2d; citing P., P.2d, or P.3d in addition to Wash. or Wn.2d is optional; for non-Washington cases: cite to the regional reporter; citing the official reporter in addition to the regional reporter is optional. *Cert. granted* or *cert. denied* in the United States Supreme Court: cite only to U.S. if therein; otherwise, cite to one of the following: S. Ct., L. Ed. or L. Ed. 2d, or U.S.L.W. in that order of preference. When subsequent history results in an opinion (such as *aff'd*, *rev'd*, *vacated*, *overruled by*, and *abrogated by*), use a full case citation.

11. Exception to *Bluebook* rule 10.7.1(c) at 110: "*Overruled by*" (or "*abrogated by*") is appropriate when a case explicitly repudiates (or effectively overrules or departs from) an earlier decision of a lower court as well as an earlier decision of the same court. Do not use "*superseded by statute*" or "*superseded by constitutional amendment*" subsequent history.

12. Exception to *Bluebook* rule 12.3.1(d) at 124: When citing to a current or former, official or unofficial, version of a statute that is published by a private publisher, do not add the name of the publisher and year of publication, e.g., "(West)" or "(LexisNexis 2003)," unless the volume is being cited for something other than the text of the statute, in which case include the publisher name and year.

13. Exception to *Bluebook* rule 12.3.2, at 124-25: Do not add the year in parentheses after a citation to a presently effective version of a statute or code.

14. Exception to *Bluebook* rule 12.9.2, at 130: Do not add "Wash." for codes and ordinances of Washington local governments. Do not add the year in parentheses after a citation to a presently effective version of a local code or ordinance.

15. Exception to *Bluebook* rule 12.10(c) at 134: "Section" may be spelled out in text when referring to U.S.C. sections.

16. Exception to *Bluebook* table T1.1, at 233: Cite United States Supreme Court cases as follows: \_\_ U.S. \_\_, \_\_ S. Ct. \_\_, \_\_ L. Ed. or L. Ed. 2d \_\_ (year).

17. Exception to *Bluebook* table T1.3, at 289: For Pennsylvania Superior Court cases, omit the public domain citation after the A.3d citation becomes available.

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

**WSR 18-13-039**  
**RULES OF COURT**  
**STATE SUPREME COURT**  
[June 7, 2018]

IN THE MATTER OF THE PROPOSED ) ORDER  
AMENDMENT TO RAP 3.4—TITLE OF ) NO. 25700-A-1227  
CASE AND DESIGNATION OF PAR- )  
TIES )

The Washington State Office of Public Defense, having recommended the adoption of the proposed amendment to RAP 3.4—Title of Case and Designation of Parties, and the Court having considered the amendment and comments submitted thereto, and having determined that the proposed amendment will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

(a) That the proposed amendment as shown below is adopted.

(b) That the proposed amendment will be published in the Washington Reports and will become effective on September 1, 2018.

DATED at Olympia, Washington this 7th day of June, 2018.

	Fairhurst, C.J.
Johnson, J.	Wiggins, J.
	Gonzalez, J.
Owens, J.	Gordon McCloud, J.
Stephens, J.	Yu, J.

**SUGGESTED AMENDMENT**  
**RULES OF APPELLATE PROCEDURE (RAP)**  
**RULE 3.4 — TITLE OF CASE AND DESIGNATION OF PARTIES**

RAP 3.4  
TITLE OF CASE AND DESIGNATION OF PARTIES

The title of a case in the appellate court is the same as in the trial court except that the party seeking review by appeal is called an "appellant," the party seeking review by discretionary review is called a "petitioner," and an adverse party on review is called a "respondent."

Upon motion of a party or on the court's own motion, and after notice to the parties, the Supreme Court or the Court of Appeals may change the title of a case by order in said case. In a juvenile offender case, the parties shall caption the case using the juvenile's initials. The parties shall refer to the juvenile by his or her initials throughout all briefing and pleadings

filed in the appellate court, and shall refer to any related individuals in such a way as to not disclose the juvenile's identity. However, the trial court record need not be redacted to eliminate references to the juvenile's identity.

**WSR 18-13-040**  
**RULES OF COURT**  
**STATE SUPREME COURT**  
[June 7, 2018]

IN THE MATTER OF THE PROPOSED ) ORDER  
AMENDMENT TO RPC 1.7—CON- ) NO. 25700-A-1228  
FLICT OF INTEREST: CURRENT CLI- )  
ENTS )

The Washington State Bar Association, having recommended the adoption of the proposed amendment to RPC 1.7—Conflict of Interest: Current Clients, and the Court having considered the amendment and comments submitted thereto, and having determined that the proposed amendment will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

(a) That the proposed amendment as shown below is adopted.

(b) That the proposed amendment will be published in the Washington Reports and will become effective on September 1, 2018.

DATED at Olympia, Washington this 7th day of June, 2018.

	Fairhurst, C.J.
Johnson, J.	Wiggins, J.
Madsen, J.	Gonzalez, J.
Owens, J.	Gordon McCloud, J.
Stephens, J.	Yu, J.

**RPC 1.7**  
**CONFLICT OF INTEREST: CURRENT CLIENTS**

Comment

[1] to [21] unchanged.

*Consent to Future Conflict*

[22] ~~[Reserved.]~~ Whether a lawyer may properly request a client to waive conflicts that might arise in the future is subject to the test of paragraph (b). The effectiveness of such waivers is generally determined by the extent to which the client reasonably understands the material risks that the waiver entails. The more comprehensive the explanation of the types of future representations that might arise and the actual and reasonably foreseeable adverse consequences of those representations, the greater the likelihood that the client will have the requisite understanding. Thus, if the client agrees to consent to a particular type of conflict with which the client is already familiar, then the consent ordinarily will be effective with regard to that type of conflict. If the consent is general and open-ended, then the consent ordinarily will be ineffective, because it is not reasonably likely that the client



will have understood the material risks involved. On the other hand, if the client is an experienced user of the legal services involved and is reasonably informed regarding the risk that a conflict may arise, such consent is more likely to be effective, particularly if, e.g., the client is independently represented by other counsel in giving consent and the consent is limited to future conflicts unrelated to the subject of the representation. In any case, advance consent cannot be effective if the circumstances that materialize in the future are such as would make the conflict nonconsentable under paragraph (b).

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

WSR 18-13-041
RULES OF COURT
STATE SUPREME COURT
[June 7, 2018]

IN THE MATTER OF THE PROPOSED ) ORDER
AMENDMENT TO RPC 1.15A—SAFE- ) NO. 25700-A-1229
GUARDING PROPERTY )

The Washington State Bar Association, having recommended the adoption of the proposed amendment to RPC 1.15A—Safeguarding Property, and the Court having considered the amendment and comments submitted thereto, and having determined that the proposed amendment will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

(a) That the proposed amendment as shown below is adopted.

(b) That the proposed amendment will be published in the Washington Reports and will become effective on September 1, 2018.

DATED at Olympia, Washington this 7th day of June, 2018.

Johnson, J. Fairhurst, C.J.
Madsen, J. Wiggins, J.
Owens, J. Gonzalez, J.
Stephens, J. Gordon McCloud, J.
Yu, J.

RPC 1.15A
SAFEGUARDING PROPERTY

Washington Comments

[1] - [2] Unchanged.

[3] This Rule applies to property held in any fiduciary capacity in connection with a representation, whether as trustee, agent, escrow agent, guardian, personal representative, executor, or otherwise. This Rule does not apply to property held by a lawyer acting solely in a fiduciary capacity such as attorney in fact, trustee, guardian, personal representative, executor, administrator, or in any similar capacity where the lawyer's investment duties as a fiduciary are con-

trolled by statute or other law. If a lawyer is acting as both a fiduciary and as the lawyer for the fiduciary, the character of the funds controls whether funds should be deposited in a fiduciary account or the lawyer's trust account. In some cases, it may be permissible to put funds received in either the lawyer's trust account or the fiduciary account. That determination depends in part on the substantive law of fiduciary obligations, which is beyond the scope of these rules. The conflict of interest rules determine whether it is appropriate for a lawyer who is the fiduciary to also serve as the attorney for the fiduciary. See generally RPC 1.7 and RPC 1.8(a) and comment [8] to RPC 1.8 and In re Disciplinary Proceeding Against McKean, 148 Wn.2d 849, 866n.12, 64 P.3d 1226, 1234n.12 (2003).

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

WSR 18-13-042
RULES OF COURT
STATE SUPREME COURT
[June 7, 2018]

IN THE MATTER OF THE PROPOSED ) ORDER
AMENDMENT TO RALJ 9.2—ENTRY ) NO. 25700-A-1230
OF DECISION AND ENFORCEMENT )
JUDGMENT )

The Washington State Bar Association, having recommended the adoption of the proposed amendment to RALJ 9.2—Entry of Decision and Enforcement Judgment, and the Court having considered the amendment and comments submitted thereto, and having determined that the proposed amendment will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

(a) That the proposed amendment as shown below is adopted.

(b) That the proposed amendment will be published in the Washington Reports and will become effective on September 1, 2018.

DATED at Olympia, Washington this 7th day of June, 2018.

Johnson, J. Fairhurst, C.J.
Madsen, J. Wiggins, J.
Owens, J. Gonzalez, J.
Stephens, J. Yu, J.

RULES FOR APPEAL OF DECISIONS OF COURTS OF LIMITED JURISDICTION (RALJ)
RULE 9.2. ENTRY OF DECISION, ISSUANCE OF MANDATE, AND ENFORCEMENT OF JUDGEMENT

(a) [No Change]

(b) **Mandate Defined.** A "mandate" is the written notification by the clerk of the Superior Court to the trial court and to the parties of the Superior Court decision.

(c) ~~(b)~~ **Transmittal of Superior Court Mandate.** The clerk of the superior court shall ~~transmit written notification of the superior court's decision~~ issue the mandate to the court of limited jurisdiction and to each party not earlier than 30 days nor later than 60 days ~~from~~ after the filing of the decision in superior court, unless a party files a timely notice for discretionary review.

(d) **Copies Provided in Criminal Case.** When the appellate court remands a criminal case to the trial court, the clerk of the appellate court shall transmit a copy of the mandate to the presiding judge of the trial court, to trial counsel of record, and to the clerk of the trial court.

(e) ~~(c)~~ **Entry of Decision in Court of Limited Jurisdiction.** The court of limited jurisdiction shall comply with the mandate of the superior court and shall enter the judgment for enforcement in the court of limited jurisdiction.

(f) ~~(d)~~ **Enforcement of Judgment in Court of Limited Jurisdiction.** Except as otherwise provided in these rules, enforcement of a judgment following termination of appeal shall be in the court of limited jurisdiction.

(g) ~~(e)~~ **Registration of Judgment in Superior Court.** A judgment entered in the court of limited jurisdiction may be registered and enforced in the superior court as authorized by law.

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

**Reviser's note:** The spelling error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

BY A LAWYER; RPC 5.8—MISCONDUCT INVOLVING LAWYERS AND LLLTs NOT ACTIVELY LICENSED TO PRACTICE LAW; RPC 8.1—BAR ADMISSION AND DISCIPLINARY MATTERS; AND LLLT RULES OF PROFESSIONAL CONDUCT (LLLT RPC) LLLT RPC 1.0B—ADDITIONAL TERMINOLOGY; LLLT RPC 1.2—SCOPE OF REPRESENTATION AND ALLOCATION OF AUTHORITY BETWEEN CLIENT AND LLLT; LLLT RPC 1.5—FEES; LLLT RPC 1.8 CONFLICT OF INTEREST: CURRENT CLIENTS: SPECIFIC RULES; LLLT RPC 1.15A—SAFEGUARDING POLICY; LLLT RPC 1.16—DECLINING OR TERMINATING REPRESENTATION; LLLT RPC 1.7 SALE OF A LAW PRACTICE; LLLT RPC 2.3 [RESERVED]; LLLT RPC 3.1—ADVISING AND ASSISTING CLIENTS IN PROCEEDINGS BEFORE A TRIBUNAL; LLLT RPC 3.6-3.9 [RESERVED]; LLLT RPC 4.1—TRUTHFULNESS IN STATEMENTS TO OTHERS; LLLT RPC 4.2—COMMUNICATION WITH PERSON REPRESENTED BY LAWYER; LLLT RPC 4.3—DEALING WITH PERSON NOT REPRESENTED BY LAWYER; LLLT RPC 5.4—PROFESSIONAL INDEPENDENCE OF A LLLT; LLLT RPC 5.5 UNAUTHORIZED PRACTICE OF LAW; LLLT RPC 8.1—LICENSING, ADMISSION, AND DISCIPLINARY MATTERS; LLLT RPC 8.4—MISCONDUCT )

**WSR 18-13-043**  
**RULES OF COURT**  
**STATE SUPREME COURT**  
[June 7, 2018]

IN THE MATTER OF SUGGESTED ) AMENDED  
AMENDMENTS TO APR 28—LIMITED ) ORDER  
PRACTICE RULE FOR LIMITED ) NO. 25700-A-1231  
LICENSE LEGAL TECHNICIANS; APR )  
28 APPENDIX—REGULATION 2 )  
PRACTICE AREAS—SCOPE OF PRACTICE )  
AUTHORIZED BY LIMITED )  
LICENSE LEGAL TECHNICIAN RULE; )  
APR 28 APPENDIX REGULATION 3— )  
EDUCATION REQUIREMENTS FOR )  
LLLT APPLICANTS AND APPROVAL )  
OF EDUCATION PROGRAMS; OF THE )  
APR 28 LIMITED LICENSE LEGAL )  
TECHNICIAN BOARD; RULES OF )  
PROFESSIONAL CONDUCT (RFC) )  
1.0B—ADDITIONAL WASHINGTON )  
TERMINOLOGY; RPC 1.17—SALE OF )  
LAW PRACTICE; RPC 4.3—DEALING )  
WITH A PERSON NOT REPRESENTED )

The Washington State Supreme Court Limited License Legal Technician Board, having recommended the suggested amendments to Limited License Legal Technician (LLLT) Board Suggested Amendments to APR 28—Limited Practice Rule for Limited License Legal Technicians; APR 28 Appendix; Rules of Professional Conduct (RPC); and LLLT Rules of Professional Conduct (LLLT RPC), and the Court having considered the amendments and comments submitted thereto;

Now, therefore, it is hereby ORDERED:

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

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

(c) Comments are to be submitted to the Clerk of the Supreme Court by either U.S. Mail or Internet E-Mail by no later than September 14, 2018. Comments may be sent to the following addresses: P.O. Box 40929, Olympia, Washington 98504-0929, or [supreme@courts.wa.gov](mailto:supreme@courts.wa.gov). Comments submitted by e-mail message must be limited to 1500 words.

DATED at Olympia, Washington this 7th day of June, 2018.

For the Court

Fairhurst, C.J.
CHIEF JUSTICE

Reviser's note: The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the 18-15 issue of the Register.

Reviser's note: The spelling errors in the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

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

WSR 18-13-044
RULES OF COURT
STATE SUPREME COURT
[June 7, 2018]

IN THE MATTER OF SUGGESTED ) ORDER
AMENDMENTS TO GR 25—PRAC- ) NO. 25700-A-1232
TICE OF LAW BOARD, AND RESCIND )
PRACTICE OF LAW BOARD REGULA- )
TIONS )

The Washington State Bar Association Practice of Law Board, having recommended the suggested amendments to GR 25—Practice of Law Board, and Rescind Practice of Law Board Regulations, and the Court having considered the amendments and comments submitted thereto;

Now, therefore, it is hereby ORDERED:

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

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

(c) Comments are to be submitted to the Clerk of the Supreme Court by either U.S. Mail or Internet E-Mail by no later than September 14, 2018. Comments may be sent to the following addresses: P.O. Box 40929, Olympia, Washington 98504-0929, or supreme@courts.wa.gov. Comments submitted by e-mail message must be limited to 1500 words.

DATED at Olympia, Washington this 7th day of June, 2018.

For the Court

Fairhurst, C.J.
CHIEF JUSTICE

Reviser's note: The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the 18-14 issue of the Register.

WSR 18-13-045
RULES OF COURT
STATE SUPREME COURT
[June 7, 2018]

IN THE MATTER OF SUGGESTED ) ORDER
NEW GENERAL RULE 38—PROHIBI- ) NO. 25700-A-1233
TION OF BIAS )

The Superior Court Judges' Association, having recommended the suggested new General Rule 38—Prohibition of Bias, and the Court having considered the new rule and comments submitted thereto;

Now, therefore, it is hereby ORDERED:

(a) That pursuant to the provisions of GR 9(g), the suggested new rule as shown below is to be published for comment in the Washington Reports, Washington Register, Washington State Bar Association and Administrative Office of the Court's websites.

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

(c) Comments are to be submitted to the Clerk of the Supreme Court by either U.S. Mail or Internet E-Mail by no later than September 14, 2018. Comments may be sent to the following addresses: P.O. Box 40929, Olympia, Washington 98504-0929, or supreme@courts.wa.gov. Comments submitted by e-mail message must be limited to 1500 words.

DATED at Olympia, Washington this 7th day of June, 2018.

For the Court

Fairhurst, C.J.
CHIEF JUSTICE

GR 9 COVER SHEET
Suggested Change to the
GENERAL RULES
Rule 38: Prohibition of Bias
Submitted by the Superior Court Judges' Association

- A. Name of Proponent: Superior Court Judges' Association
B. Spokesperson: Judge Blaine Gibson, President Superior Court Judges' Association
C. Purpose:

The suggested rule seeks to prohibit prejudice and bias during litigation by requiring that all persons in a court proceeding be given fair and equal treatment, and creating a duty to avoid comments or behaviors that could be interpreted as manifesting prejudice toward any court participant.

D. Hearing: A hearing is not requested.

E. **Expedited Consideration**: Expedited consideration is not requested.

**GENERAL RULE 38: PROHIBITION OF BIAS**

Litigation, inside and outside Washington state courtrooms, must be free from prejudice and bias in any form. Fair and equal treatment must be accorded all court participants, whether judges, attorneys, witnesses, litigants, jurors, or court personnel. The duty to be respectful of others includes the responsibility to avoid comment or behavior that can reasonably be interpreted as manifesting prejudice or bias toward another on the basis of categories such as gender, race, ethnicity, religion, disability, age, or sexual orientation.

**WSR 18-13-047**  
**NOTICE OF PUBLIC MEETINGS**  
**INDETERMINATE SENTENCE**  
**REVIEW BOARD**

[Filed June 12, 2018, 9:12 a.m.]

**BOARD MEETING CHANGE**

The indeterminate sentence review board has moved the following regularly scheduled board meeting on **July 9, to July 16, 2018.**

If you need further information, please contact Robin Riley, Executive Assistant, P.O. Box 40907, Olympia, WA 98504-0907, call 360-407-2415, or email [isrb@doc.wa.gov](mailto:isrb@doc.wa.gov).

**WSR 18-13-064**  
**HEALTH CARE AUTHORITY**

[Filed June 14, 2018, 12:55 p.m.]

**NOTICE**

Title or Subject: Medicaid State Plan Amendment (SPA) 18-0021 July 1, 2018, Fee Schedule Effective Date Updates. Effective Date: July 1, 2018.

Description: The health care authority (HCA) intends to submit medicaid SPA 18-0021 in order to update some links and the fee schedule effective dates for several medicaid programs and services. This is a regular, budget neutral, update to keep rates and billing codes in alignment with the coding and coverage changes from the Centers for Medicare and Medicaid Services (CMS), medicaid, and other sources. These changes are routine and do not reflect significant changes to policy or payment. This SPA also adds a description of the payment methodology for critical care services. This methodology is not new for these services; the description adds clarification and consistency with other payment methodology descriptions in the state plan. SPA 18-0021 addresses the following:

- Conversion factors for adult primary health, children's primary health, laboratory services, maternity services, and all other services.
- Dental services.
- Home health services.
- Other practitioners.

- Outpatient hospital services.
- Targeted case management - HIV/AIDS (updating outdated link only - no fee schedule date change).
- Transportation services (updating cross-reference only - no fee schedule date change).

SPA 18-0021 is expected to have no effect on the annual aggregate expenditures/payments for the services listed above. This is a regular, budget neutral, update to keep rates and billing codes in alignment with the coding and coverage changes from CMS, medicaid, and other sources. These changes are routine and do not reflect significant changes to policy or payment.

A copy of SPA 18-0021 is available for review. HCA would appreciate any input or concerns regarding this SPA. To request a copy of the SPA, you may contact the agency in your county or the person named below. To submit comments, please contact the person named below (please note that all comments are subject to public review and disclosure, as are the names of those who comment).

Contact Abigail Cole, Hospital Finance, P.O. Box 5510, Olympia, WA 98504, phone 360-725-1835, TDD/TTY 1-800-848-5429, fax 360-753-9152, email [abigail.cole@hca.wa.gov](mailto:abigail.cole@hca.wa.gov).

**County Contacts**

**Adams County**

Adams County Health Department  
 108 West Main  
 Ritzville, WA 99169  
 Phone (509) 659-3315

**Asotin County**

Clarkston Home and Community Services Office  
 525 Fifth Street  
 Clarkston, WA 99403  
 Web site <http://www.altc.washington.com>  
 Phone (509) 751-4672  
 Alt. Phone 1-800-310-4881  
 Fax (509) 758-4593

**Benton County**

Tri-Cities Home and Community Services Office  
 500 North Morain Street  
 Suite 2210  
 Kennewick, WA 99336  
 Phone (509) 374-2100  
 Alt. Phone 1-800-310-4833  
 Fax (509) 374-7559

**Chelan County**

Chelan Community Services Office  
 805 South Mission Street  
 Wenatchee, WA 98801  
 Phone (509) 667-6000

**Clallam County**

Port Angeles Home and Community Services Office  
 235 West 1st Street  
 Port Angeles, WA 98362  
 Phone (360) 565-2160  
 Alt. Phone 1-800-280-9891

TTY (360) 417-5651  
Fax (360) 417-1416

**Clark County**

Vancouver Home and Community Services Office  
800 N.E. 136th Avenue  
Suite 220  
Vancouver, WA 98684  
Phone (360) 397-9500  
Alt. Phone 1-800-280-0586  
TTY (360) 750-4079  
Fax (360) 992-7949

**Columbia County**

Aging and Disability Resource Center  
410 East Main  
Dayton, WA 99328  
Web site <http://www.altcWashington.com/>  
Phone (509) 382-4787

**Cowlitz County**

Kelso Home and Community Services Office  
711 Vine Street  
Kelso, WA 98626  
Phone (360) 501-2500  
Alt. Phone 1-800-605-7322  
TTY (360) 577-7591  
Fax (360) 578-4106

**Douglas County**

Wenatchee Home and Community Services Office  
50 Simon Street S.E.  
Suite B  
East Wenatchee, WA 98802  
Phone (509) 886-6140  
Alt. Phone 1-800-670-8874  
Fax (509) 886-6221

**Ferry County**

Republic Home and Community Services Office  
89 East Delaware  
Republic, WA 99166  
Phone (509) 775-2227  
Alt. Phone 1-888-437-0516  
TTY (509) 775-2661  
Fax (509) 775-2401

**Franklin County**

Franklin County Commissioners Office  
1016 North 4th Avenue  
Pasco, WA 99301  
Phone (509) 545-3535

**Garfield County**

Garfield County District Court  
789 West Main Street  
P.O. Box 817 or 819  
Pomeroy, WA 99347  
Phone (509) 843-1002

**Grant County**

Moses Lake Home and Community Services Office  
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

**Grays Harbor County**

Aberdeen Home and Community Services Office  
415 West Wishkah Street  
Suite A2  
Aberdeen, WA 98520  
Phone (360) 533-9222  
Alt. Phone 1-800-487-0119  
TTY (360) 533-9730  
Fax (360) 533-9782

**Island County**

Oak Harbor Home and Community Services Office  
900 East College Way  
Suite 210  
Mt. Vernon, WA 98273  
Phone (360) 429-2961  
Alt. Phone 1-866-608-0836  
Fax (360) 429-2958

**Jefferson County**

Port Townsend Home and Community Services Office  
915 Sheridan Street  
Suite 201  
Port Townsend, WA 98368  
Phone (360) 379-4326  
Alt. Phone 1-800-280-9991  
Fax (360) 344-4600

**King County**

King County Home and Community Services Office  
1737 Airport Way South  
Suite 130  
P.O. Box 24847  
Seattle, WA 98134  
Phone (206) 341-7750  
Alt. Phone 1-800-346-9257  
TTY 1-800-833-6384

**Kitsap County**

Bremerton Home and Community Services Office  
4710 Auto Center Boulevard  
Bremerton, WA 98312  
Phone (360) 473-2299  
Alt. Phone 1-800-422-7114  
TTY (360) 478-4928  
Fax (360) 478-6467

**Kittitas County**

Ellensburg Home and Community Services Office  
100 East Jackson Avenue  
Suite 100  
Ellensburg, WA 98926  
Phone (509) 925-0433  
Alt. Phone 1-800-310-4999  
Fax (509) 962-7755

**Klickitat County**

White Salmon Home and Community Services Office  
 221 North Main Street  
 White Salmon, WA 98672  
 Phone (509) 493-6157  
 Alt. Phone 1-800-504-1180

**Lewis County**

Chehalis Home and Community Services Office  
 3451 Galvin Road  
 Centralia, WA 98531  
 Phone (360) 807-7150  
 Alt. Phone 1-800-487-0360  
 Fax (360) 330-7552

**Lincoln County**

Lincoln County Health Department  
 90 Nicholls Street  
 Davenport, WA 99122  
 Phone (509) 725-1001

**Mason County**

Shelton Home and Community Services Office  
 2505 Olympic Highway North  
 Suite 440  
 Shelton, WA 98584  
 Phone (360) 664-9050  
 Alt. Phone 1-800-462-4957  
 Fax (360) 432-2045

**Okanogan County**

Omak Home and Community Services Office  
 130 South Main  
 Omak, WA 98841  
 Phone (509) 846-2103  
 Alt. Phone 1-888-437-0529  
 TTY (509) 826-7389  
 Fax (509) 826-7439

**Pacific County**

South Bend Home and Community Services Office  
 307 East Robert Bush Drive  
 P.O. Box 87  
 South Bend, WA 98586  
 Phone (360) 875-4222  
 Alt. Phone 1-800-458-3747  
 Fax (360) 875-0590

**Pend Oreille County**

Newport Home and Community Services Office  
 1600 West First Avenue  
 Newport, WA 99156  
 Phone (509) 447-6223  
 Alt. Phone 1-888-437-0516  
 Fax (509) 447-5256

**Pierce County**

Tacoma Home and Community Services Office  
 1949 South State Street  
 Tacoma, WA 98405  
 Phone (253) 476-7200  
 Alt. Phone 1-800-442-5129  
 TTY (253) 593-5471

Fax (253) 597-4161

**San Juan County**

San Juan County Health Services  
 145 Rhone Street  
 Friday Harbor, WA 98250  
 Phone (360) 378-4474  
 Fax (360) 378-7036

**Skagit County**

Mount Vernon Home and Community Services Office  
 900 East College Way  
 Suite 210  
 Mt. Vernon, WA 98273  
 Phone (360) 429-2961  
 Alt. Phone 1-866-608-0836  
 Fax (360) 416-7401

**Skamania County**

Stevenson Home and Community Services Office  
 266 S.W. Second Street  
 P.O. Box 817  
 Stevenson, WA 98648  
 Phone (509) 427-5611  
 Alt. Phone 1-800-505-4203  
 Fax (509) 427-4604

**Snohomish County**

Smokey Point Home and Community Services Office  
 3906 172nd Street N.E.  
 Suite 101  
 Arlington, WA 98223  
 Phone (360) 651-6800  
 Alt. Phone 1-800-827-2984  
 Fax (360) 651-6832

**Spokane County**

Spokane Home and Community Services Office  
 1330 North Washington Street  
 Suite 3000  
 Spokane, WA 99201  
 Phone (509) 568-3700  
 Alt. Phone 1-800-459-0421  
 TTY (509) 568-3697  
 Fax (509) 568-3771

**Stevens County**

Colville Home and Community Services Office  
 1100 South Main  
 Colville, WA 99114  
 Phone (509) 685-5644  
 Alt. Phone 1-800-437-0516  
 Fax (509) 684-7430

**Thurston County**

Tumwater Home and Community Services Office  
 6639 Capitol Boulevard S.W.  
 Tumwater, WA 98512  
 Phone (360) 664-9050  
 Alt. Phone 1-800-462-4957  
 TTY (360) 407-1678  
 Fax (360) 664-9107

**Wahkiakum County**  
 Health and Human Services  
 42 Elochoman Valley Road  
 Cathlamet, WA 98612  
 Phone (360) 795-8630  
 Alt. Phone 1-800-635-5989

**Walla Walla County**  
 Walla Walla Home and Community Services Office  
 206 West Poplar  
 Walla Walla, WA 99362  
 Phone (509) 524-4960  
 Alt. Phone 1-800-310-5678  
 Fax (509) 527-4142

**Whatcom County**  
 Bellingham Home and Community Services Office  
 600 Lakeway Drive  
 Bellingham, WA 98225  
 Phone (360) 756-5750  
 Alt. Phone 1-800-239-8292  
 Fax (360) 676-2239

**Whitman County**  
 Colfax Home and Community Services Office  
 418 South Main Street  
 Suite 3  
 Colfax, WA 99111  
 Phone (509) 397-5091  
 Alt. Phone 1-800-459-0421  
 Fax (509) 397-4323

**Yakima County**  
 Yakima Home and Community Services Office  
 1002 North 16th Avenue  
 Yakima, WA 98902  
 Phone (509) 225-4400  
 Alt. Phone 1-800-822-2097  
 Fax (509) 575-2286

**WSR 18-13-065**  
**NOTICE OF PUBLIC MEETINGS**  
**BELLEVUE COLLEGE**  
 [Filed June 14, 2018, 1:48 p.m.]

The following is the schedule of regular meetings for the board of trustees of Community College District VIII for Bellevue College. The meetings will be held in the Board Room (B201) at Bellevue College, 3000 Landerholm Circle S.E., Bellevue, WA, on the following dates unless otherwise noted:

Date	Time	Location
September 6, 2017	12:30 p.m.	Bellevue College
October 18, 2017	1:00 p.m. special meeting	Bellevue College
November 8, 2017 - rescheduled from November 15	12:30 p.m.	Bellevue College
November 29, 2017	8:00 a.m. all-day retreat	Bellevue College

Date	Time	Location
January 10, 2018	12:30 p.m. special meeting	Bellevue College
February 7, 2018	12:30 p.m.	Bellevue College
March 7, 2018	12:30 p.m.	Bellevue College
April 25, 2018	2:30 p.m.	Bellevue College
June 6, 2018	11:30 a.m.	Bellevue College
June 20, 2018	10:00 a.m. special meeting	Bellevue College
June 21, 2018	8:00 a.m. retreat	Mercer Island Community Center

If you need any further information, please contact Donna Sullivan, 3000 Landerholm Circle S.E., Bellevue, WA 98007, voice 425-564-2302, fax 425-564-2261, donna.sullivan@bellevuecollege.edu.

**WSR 18-13-068**  
**ATTORNEY GENERAL'S OFFICE**

[Filed June 15, 2018, 9:32 a.m.]

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

The Washington attorney general routinely publishes notice of an opportunity to comment for opinion requests that we receive from the heads of state agencies, state legislators, and county prosecuting attorneys if we anticipate publishing a formal opinion in response to the request. We do so in order to provide members of the public with a chance to provide any legal analysis that they would like us to consider as we develop our opinion. In preparing any comments, please be aware that our opinion will provide our considered legal analysis of the question presented, and therefore comments that address the interpretation of the law are more helpful than comments that express an opinion as to what the law should be.

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 July 13, 2018. This is not the due date by which comments must be received, and we will consider any comments we receive before we complete our opinion. 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 email to OpinionComments@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 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 email, you may visit the attorney gen-

eral's web site at <http://www.atg.wa.gov/ago%E2%80%9990opinions> 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. 18-06-03  
Request by Dr. Warren Howe, Chair  
Washington Medical Commission**

**QUESTIONS:**

**The request poses the following questions in the context of cooperative arrangements between a physicians or physician assistants and pharmacists:**

1. Does the phrase "the initiating or modifying of drug therapy in accordance with written guidelines or protocols previously established and approved for his or her practice by a practitioner authorized to prescribe drugs" include the act of diagnosing a patient's condition?
2. If the answer to tt I above is yes, is there a statutory or administrative requirement for direct contact between the non-pharmacist practitioner and the patient?
3. May a physician licensed under RCW 18.71 delegate the diagnosis of a patient to a pharmacist licensed under RCW 18.64?
4. Does a pharmacist who diagnoses patients pursuant to a CDTA with a physician commit an act of unlicensed practice of medicine under RCW 18.130.190?
5. May a physician assistant licensed under RCW I8.71A delegate the diagnosis of a patient to a pharmacist licensed under RCW 18.64?
6. Does a pharmacist who diagnoses patients pursuant to a CDTA. with a physician assistant commit an act of unlicensed practice as a physician assistant under RCW 18.130.190?

**Reviser's note:** The typographical errors in the above material occurred in the copy filed by the Attorney General's Office and appear in the Register pursuant to the requirements of RCW 34.08.040.

**WSR 18-13-071  
NOTICE OF PUBLIC MEETINGS  
SKAGIT VALLEY COLLEGE**

[Filed June 15, 2018, 10:52 a.m.]

The Skagit Valley College board of trustees, at their June 12, 2018, meeting, approved the following meeting schedule for 2018-2019. Unless otherwise noted, all meetings will be held the second Tuesday of the month, at the Mount Vernon Campus (Board Room), 2405 East College Way, Mount Vernon, WA 98273, and will begin at 4:30 p.m.

**2018-2019 Board of Trustees Meeting Dates**

<b>Dates</b>	<b>Location</b>
July 2018	<i>No regular meeting is scheduled</i>
August 2018	<i>No regular meeting is scheduled</i>

<b>Dates</b>	<b>Location</b>
September 2018	<i>No regular meeting is scheduled</i>
October 9, 2018	Mount Vernon Campus Board Room
<b>November 13, 2018</b>	<b>Whidbey Island Campus Oak Hall 306 1900 S.E. Pioneer Way Oak Harbor, WA 98277</b>
December 11, 2018	Mount Vernon Campus Board Room
January 2019	<i>No regular meeting is scheduled</i>
February 12, 2019	Mount Vernon Campus Board Room
March 12, 2019	Mount Vernon Campus Board Room
April	<i>No regular meeting is scheduled</i>
May 14, 2019	Mount Vernon Campus Board Room
June 11, 2018 [2019]	Mount Vernon Campus Board Room

**WSR 18-13-072  
NOTICE OF PUBLIC MEETINGS  
PUBLIC WORKS BOARD**

[Filed June 15, 2018, 11:13 a.m.]

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

**NOTICE OF PUBLIC MEETINGS FOR 2018**

February 2, 2018	
<del>April 6, 2018</del>	Cancelled
April 13, 2018	Rescheduled
June 1, 2018	
<b>July 13, 2018</b>	<b>Added</b>
August 3, 2018	
<b>September 7, 2018</b>	<b>Added</b>
October 4-5, 2018	Board Retreat
<b>November 2, 2018</b>	<b>Added</b>
December 7, 2018	

All meetings are held at the Department of Commerce, 1011 Plum Street S.E., Olympia, WA 98506, unless noted otherwise. All meeting materials and information can be found on our web site [www.pwb.wa.gov](http://www.pwb.wa.gov).

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



**WSR 18-13-081****HEALTH CARE AUTHORITY**

(Health Technology Clinical Committee)

[Filed June 15, 2018, 4:20 p.m.]

The health technology clinical committee reached a final coverage decision for the following health technology at their March 16, 2018, public meeting: Gene expression profile testing of cancer tissue, Decision No: 20180316A.

All documents related to these evidence assessments, including the final coverage decisions, are available on the health technology assessment program web site [www.hca.wa.gov/about-hca/health-technology-assessment](http://www.hca.wa.gov/about-hca/health-technology-assessment).

For further information contact Christine Masters, Program Specialist, Washington Health Technology Assessment, P.O. Box [42712], 626 8th Avenue S.E., Olympia, WA 98504-2712, desk 360-725-5126, fax 360-586-8827, [christine.masters@hca.wa.gov](mailto:christine.masters@hca.wa.gov).

**WSR 18-13-085****NOTICE OF PUBLIC MEETINGS****DEPARTMENT OF COMMERCE**

(Achieving a Better Life Experience Governing Board)

[Filed June 18, 2018, 10:17 a.m.]

Please note the meeting location change for the July 23 achieving a better life experience governing board: **July 23, 2018, at 9:30 a.m. - 2:30 p.m., at the Legislative Building, Columbia Room.**

If you need further information, contact Peter Tassoni, Disabilities Workgroup Manager, Community Services Housing Division, Washington State Department of Commerce, P.O. Box 42525, Olympia, WA 98504-2525 [98504-2525], 360-725-3125, [peter.tassoni@commerce.wa.gov](mailto:peter.tassoni@commerce.wa.gov), [www.commerce.wa.gov](http://www.commerce.wa.gov).

**WSR 18-13-087****NOTICE OF PUBLIC MEETINGS****CENTER FOR CHILDHOOD****DEAFNESS AND HEARING LOSS**

[Filed June 18, 2018, 11:49 a.m.]

The Washington State Center for Childhood Deafness and Hearing Loss board of trustees has changed the meeting date noted below and added a special meeting in July:

**Board meeting change:** November 16 to November 2, 2018, in Bellingham (location to be determined) (9:45 a.m. - 3 p.m.).

**Special meeting:** July 25 - 26, 2018 (9:30 a.m. to 3:30 p.m.), at the Fife School District Offices, 5802 20th Street East, Tacoma.

**WSR 18-13-090****NOTICE OF PUBLIC MEETINGS  
RECREATION AND CONSERVATION  
OFFICE**

(Recreation and Conservation Funding Board)

[Filed June 18, 2018, 3:03 p.m.]

The recreation and conservation funding board is changing the date and times of the regular quarterly meeting scheduled for July 18-19, 2018:

**FROM:** July 18, and July 19, 2018, from 9:00 a.m. to 5:00 p.m., **Sun Mountain Lodge, 604 Patterson Lake Road, Winthrop, WA 98862.**

**TO:** July 17, 2018, from 5 p.m. to 7 p.m. (reception), **Winthrop Rink, 208 White Avenue, Winthrop, WA 98862.** July 18, 2018, from 8:30 a.m. to 2:00 p.m. (regular meeting); July 18, 2018, from 2:00 to 5:00 p.m. (tour); July 18, 2018, from 6:00 to 8:30 p.m. (dinner); and July 19, 2018, from 8:30 a.m. to 2:30 p.m. (tour), **Sun Mountain Lodge, 604 Patterson Lake Road, Winthrop, WA 98862.**

For further information, please contact Wyatt Lundquist, [Wyatt.lundquist@rco.wa.gov](mailto:Wyatt.lundquist@rco.wa.gov) or check the recreation and conservation office's (RCO) web page at [http://www.rco.wa.gov/boards/srfb\\_meetings.shtml](http://www.rco.wa.gov/boards/srfb_meetings.shtml).

RCO schedules all public meetings at barrier free sites. Persons who need special assistance may contact Leslie Frank at 360-902-0220 or email [leslie.frank@rco.wa.gov](mailto:leslie.frank@rco.wa.gov).

**WSR 18-13-093****NOTICE OF PUBLIC MEETINGS  
DEPARTMENT OF LICENSING  
(Real Estate Appraiser Commission)**

[Filed June 19, 2018, 7:28 a.m.]

The real estate appraiser commission will hold a special commission meeting to discuss the recent appraiser qualifications board criteria changes and what recommendations to chapter 308-125 WAC to make to the director. The meeting is on June 26, 2018, at 9:30 a.m., at the Department of Licensing, Business and Professions Division, 405 Black Lake Boulevard S.W., Building 2, Conference Room 2108, Olympia, WA 98502.

**WSR 18-13-095****AGENDA****WESTERN WASHINGTON UNIVERSITY**

[Filed June 19, 2018, 8:20 a.m.]

Pursuant to RCW 34.05.314, the following is Western Washington University's semi-annual agenda for Washington Administrative Code (WAC) rules under development for the term of July 1 through December 31, 2018:

**1. Chapter 516-26 WAC, Student records.** University review of chapter 516-26 WAC, Student records, with possible amendments, including but not limited to WAC 516-26-040 Right to copy education records, and 516-26-090(2) Directory information, and housekeeping changes. Prepro-

posals CR-101 was filed December 12, 2017 (WSR 18-01-044) and CR-102 anticipated to be filed in 2018.

**2. WAC 516-52-001 Smoking on campus.** Amendments to WAC 516-52-001 Smoking on campus, to comply with a state initiative that prohibits smoking in public places and workplaces and to address electronic cigarettes and other smoking devices. Preproposal CR-101 was filed February 10, 2010 (WSR 10-05-049) and CR-102 anticipated to be filed in 2018.

**3. WAC 516-52-010 Control of dogs and other service animals.** Amendments to WAC 516-52-010 Control of dogs and other service animals, to address animals and pets on campus, as well as service animals and exceptions. Preproposal CR-101 was filed April 6, 2017 (WSR 17-09-005) and CR-102 anticipated to be filed in 2018.

Additional rule-making activity not on the agenda may occur as conditions warrant. For more information concerning the semi-annual agenda, please contact Jennifer Sloan, Rules Coordinator, Western Washington University, 516 High Street, Bellingham, WA 98225-9015, phone 360-650-3117, email Jennifer.Sloan@www.u.edu.

Jennifer L. Sloan  
Rules Coordinator

**WSR 18-13-100**  
**INTERPRETIVE OR POLICY STATEMENT**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
[Filed June 19, 2018, 11:03 a.m.]

**Notice of Interpretive or Policy Statement**

In accordance with RCW 34.05.230(12), following is a list of policy and interpretive statements issued by the department of social and health services.

**Economic Services Administration**  
**Division of Child Support (DCS)**

Document Title: CN-296 Implementation of the Medical Support Provisions of ESSB [SSB] 6334.

Subject: Implementation of the medical support provisions of ESSB [SSB] 6334.

Effective Date: June 7, 2018.

Document Description: This canary notice explains changes made as a result of the final rule: Flexibility, efficiency and modernization in child support enforcement [enforcement] programs and legislative changes.

To receive a copy of the interpretive or policy statements, contact Lori Webb, DCS, P.O. Box 11520, Tacoma, WA 98411-5520, phone 360-664-5236, TDD/TTY 360-753-9122, fax 360-586-3274, email webbla@dshs.wa.gov, web site <http://www.dshs.wa.gov/dcs/>.

**WSR 18-13-101**  
**NOTICE OF PUBLIC MEETINGS**  
**CENTER FOR CHILDHOOD**  
**DEAFNESS AND HEARING LOSS**  
[Filed June 19, 2018, 11:16 a.m.]

The Washington State Center for Childhood Deafness and Hearing Loss board of trustees has cancelled the October 12, 2018, meeting date.

**WSR 18-13-111**  
**AGENDA**  
**BOARD OF ACCOUNTANCY**  
[Filed June 20, 2018, 8:50 a.m.]

Semi-Annual Rule-Making Agenda  
July through December 2018

The Washington state board of accountancy's semi-annual rule-making agenda follows for publication in the Washington State Register pursuant to RCW 34.05.314.

This agenda is for information purposes, and the noted dates of anticipated rule-making actions are estimates. 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 Charles Satterlund, CPA, Executive Director, P.O. Box 9131, Olympia, WA 98507-9131, phone 360-586-0785, fax 360-664-9190, email Charles.Satterlund@acb.wa.gov.

WAC Citation	Subject Matter	Current activity		
		Preproposal (CR-101)	Proposed (CR-102) or Expedited (CR-105)	Permanent (CR-103)
WAC 4-30-010	Definitions.	CR-101 Expected October 2018	CR-102 Expected January 2019	CR-103P Expected April 2019
WAC 4-30-026	How can I contact the board?		CR-105 Expected July 2018	CR-103P Expected August 2018

WAC Citation	Subject Matter	Current activity		
		Preproposal (CR-101)	Proposed (CR-102) or Expedited (CR-105)	Permanent (CR-103)
WAC 4-30-072	What are the responsibilities of a verifying CPA?		CR-105 Expected July 2018	CR-103P Expected August 2018
WAC 4-30-136	How do I report my CPE to the board?	CR-101 Expected October 2018	CR-102 Expected January 2019	CR-103P Expected April 2019
WAC 4-30-138	What documentation must I retain to support my eligibility for CPE credits?	CR-101 Expected October 2018	CR-102 Expected January 2019	CR-103P Expected April 2019

Charles E. Satterlund, CPA, CIA  
Executive Director