

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

GR 9 COVER SHEET DRAFT
Suggested Amendment

General Rule 25

Submitted by the Practice of Law Board

A. Name of Proponent:

Practice of Law Board
Staff Liaison/Contact
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B. Spokespersons:

Hon. Paul Bastine, ret., Chair
Practice of Law Board
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C. Purpose:

General Rule (GR) 25 sets out the purposes, responsibilities and operating procedures for the Practice of Law Board. GR 25 was adopted effective September 1, 2001, to establish a Board to implement the Definition of the Practice of Law. In July 2015, the Court issued an order modifying the Practice of Law Board's purposes, responsibilities and procedures. The proposed changes conform GR 25 to the Court's July 2015 Order.

The Board also requests that the Court rescind the Practice of Law Board Regulations. The current Regulations were adopted prior to the Court's 2015 Order. The content of the Regulations was included in the proposed GR 25. The Board will determine whether new Regulations are needed.

Board Size and Membership: The proposed changes increase the required number of Board members not currently authorized to practice law from four to five. The total number of Board members is unchanged at 13.

Board Responsibilities: The proposed rule changes conform the Board's functions to those listed in the Court's July 2015 Order. The Board has a new responsibility to educate the public about how to receive competent legal assistance.

The Board maintains its responsibility to consider and recommend to the Court new avenues for persons not currently authorized to practice law to provide legal and law-related services that might otherwise constitute the practice of law. The proposed rule codifies the current practice of forwarding any recommendations in this area to the WSBA Board of Governors for consideration and comment at least 90 days prior to transmission to the Court. This section of the proposed rule also requires the Board to consider the GR 12.1 Regulatory Objectives when developing these recommendations.

The Board's role in unauthorized practice of law complaints is narrowed, consistent with the Court's July 2015 Order. The proposed rule states that the Board may receive complaints alleging unauthorized practice of law, will review the complaints, and may refer complaints that allege harm to the public interest to appropriate enforcement agencies. The proposed rule, consistent with the Court's July 2015 Order, eliminates the Board's responsibility to investigate unauthorized practice of law complaints and make determinations whether specific conduct constitutes the unauthorized practice of law.

The proposed rule eliminates the Board's role in issuing advisory opinions. Current GR 25 permits requests for advisory opinions "relating to the authority of a nonlawyer to perform legal and law-related services." The rule also permits petitions for review of advisory opinions. Issuing opinions regarding who can and cannot perform legal and law-related services is a decision better suited for the Court instead of the Practice of Law Board. Opinions of the Practice of Law Board, the majority of whom are practicing attorneys, presents a heightened risk of anticompetitive activity. Thus, Board advisory opinions would need active court supervision, including some form of review and approval. The active supervision procedure would interfere with a later petition for review process. Although advisory opinions are not included in GR 25, the Board can receive questions from the Court at any time.

Board Records: The proposed rule clarifies that Board records, including unauthorized practice of law complaints are public and subject to GR 12.4.

Annual Report: To assist the Court in actively supervising the Board's activities, the proposed rule requires the Board to submit an annual report to the Court.

Regulations: The proposed rule maintains the Board's authority to adopt regulations subject to the Court's approval. The proposed rule adds a provision requiring proposed board regulations to be provided to the WSBA Board of Governors for informational purposes.

D. Hearing:

A hearing is not recommended.

E. Expedited Consideration:

Expedited consideration is requested. The Practice of Law Board believes the Rule should be consistent with the Court Order as soon as possible.

Supporting Material:

The Board sent the proposed GR 25 changes to stakeholders, including the Access to Justice Board, LLLT Board, and WSBA Board of Governors. In response to comments received, the Board clarified the appointment process, eliminated the advisory opinion process and removed the word "nonlawyer." Most comments received supported the conforming changes to the rule.

Attachments:

GR 25 Proposed Redline

GR 25 Proposed-Clean

July 2015 Court Order Reconstituting Practice of Law Board

**SUGGESTED AMENDMENT
RULES OF GENERAL APPLICATION (GR)
GR 25 - PRACTICE OF LAW BOARD**

(a) Purpose. Board. ~~The purpose of this rule is to create a Practice of Law Board in order to promote expanded access to affordable and reliable legal and law-related services, expand public confidence in the administration of justice, make recommendations regarding the circumstances under which non-lawyers may be involved in the delivery of certain types of legal and law-related services, enforce rules prohibiting individuals and organizations from engaging in unauthorized legal and law-related services that pose a threat to the general public, and to ensure that those engaged in the delivery of legal services in the state of Washington have the requisite skills and competencies necessary to serve the public.~~

(b) Appointment. ~~The Practice of Law Board shall consist of 13 members, at least four of whom shall be non-lawyers. The appointments shall be made appointed and actively supervised by the Supreme Court after considering nominations from the Practice of Law Board and the Board of Governors of the Washington State Bar Association and other interested people and organizations. A minimum of five Board members must be persons not currently authorized to practice law. The Board members shall may be appointed to staggered 3-year terms of 3 years and no member may serve more than 2 consecutive full 3-year terms. Any vacancies shall may be filled for the unexpired term. The Supreme~~

~~Court shall may annually designate a chair and vice-chair, who shall must be members of the Board.~~

(eb) Powers Responsibilities of the Practice of Law Board. ~~The Practice of Law Board's functions are to:~~

~~(1) Advisory Opinions. On request of any person, or in connection with the consideration of any complaint or any investigation made on its own initiative, the Board may render advisory opinions relating to the authority of non-lawyers to perform legal and law-related services and arrange for their publication. No opinion shall be rendered if, to the Board's knowledge, the subject matter either involves or might affect a case or controversy pending in any court. An advisory opinion shall be issued by the Board in writing and shall be transmitted to the person making the inquiry. At the direction of the Board, an opinion may be published in the Washington State Bar News. Published opinions shall not, insofar as practicable, identify the party or parties making an inquiry, or the complainant or respondent.~~

~~(1) Educate the public about how to receive competent legal assistance;~~

~~(24) Consider and recommendations to the Supreme Court Regarding the Provision of Legal and Law-Related Services by Non-Lawyers. On request of the Supreme Court or any person or organization, or on its own initiative, the Board may recommend new avenues for that non-lawyers persons not currently authorized to practice law to provide legal and law-related services be authorized to engage in certain defined activities that might otherwise constitute the practice of law as defined in GR 24. Recommendations to authorize non-lawyers to engage in the limited practice of law pursuant to this section shall must be forwarded to the Washington State Bar Board of Governors for consideration and comment at least 90 days before transmission to the Supreme Court. Upon approval of such recommendations by the Supreme Court, pursuant to the procedures set out in GR 9, those who meet the requirements and comply with applicable regulatory and licensing provisions shall be deemed to be engaged in the authorized practice of law. In forwarding a recommendation that non-lawyers be authorized to engage in certain legal or law-related activities that constitute the practice of law as defined in GR 24, the Board shall determine whether regulation under authority of the Supreme Court (including the establishment of minimum and uniform standards of competency, conduct, and continuing education) is necessary to protect the public interest. Any recommendations that non-lawyers be authorized to engage in the limited provision of legal or law-related services shall must be accompanied by a determination:~~

~~(A) that access to affordable and reliable legal and law-related services consistent with protection of the public will be enhanced by permitting non-lawyers to engage in the defined activities set forth in the recommendation authorizing the recommended legal service provider or legal service delivery model;~~

~~(B) that the defined activities outlined in the recommendation can be reasonably and competently provided by skilled and trained non-lawyers legal service providers;~~

~~(C) if the public interest requires regulation under authority of the Supreme Court authority, such regulation considers any regulatory objectives in GR 12 et.seq. and is~~

tailored to promote access to affordable legal and law-related services while ensuring that those whose important rights are at stake can reasonably rely on the quality, skill and ability of ~~those non-lawyers~~ the authorized legal service providers who will provide such services;

(D) that, to the extent that the activities authorized will involve the handling of client trust funds, provision has been made to ensure that such funds are handled in a manner consistent with RPC 1.15A and APR 12.1, all applicable court rules, including the requirement that such funds be placed in interest bearing accounts, with interest paid to the Legal Foundation of Washington; and

(E) that the recommended program, including the costs of regulation, is financially self-supporting within a reasonable period of time, if any, can be effectively underwritten within the context of the proposed regulatory regime. Recommendations to authorize non-lawyers to engage in the limited practice of law pursuant to this section shall be forwarded to the Washington State Board of Governors for consideration and comment before transmission to the Supreme Court. Upon approval of such recommendations by the Supreme Court, pursuant to the procedures set out in GR 9, those who meet the requirements and comply with applicable regulatory and licensing provisions shall be deemed to be engaged in the authorized practice of law.

(23) Complaints. The Board may receive shall have jurisdiction over and shall inquire into and consider complaints alleging the unauthorized practice of law in Washington by any person or entity. The Board will review and may refer complaints that allege harm to the public interest to appropriate enforcement agencies. Upon referring a matter to law enforcement or other agency, the Board may notify the complainant of such action in writing, in accordance with the procedures outlined in this rule.

~~(3) Investigation. The Board may, on its own initiative, and without any complaint being made to it, investigate any condition or situation of which it becomes aware that may involve the unauthorized practice of law.~~

(dc) Expenses of the Practice of Law Board Funding and Administration. The Practice of Law Board shall be supported through annual commitments from the Washington State Bar Association and through a portion of other licensing fees established by the Supreme Court for non-lawyers authorized to engage in the regulated practice of law. The Board shall must be funded, administered and staffed by the Washington State Bar in accordance with GR 12 et seq. which The Bar shall pay all expenses reasonably and necessarily incurred by the Board, pursuant to a budget approved by the Board of Governors. Members of the Board members shall not be are not compensated for their services, but shall be are reimbursed for their necessary expenses incurred in connection with the Board in a manner consistent with the Association Bar's reimbursement policies.

(ed) Records. All records of the Board records shall must be filed and maintained at the principal office of the Association Bar. GR 12.4 applies to access to Board records. All Board records, including unauthorized practice of law complaints are public documents except:

(1) Information made confidential by GR 22 and GR 31;

(2) Information made confidential by other statutes, court rules or legal authority, such as unredacted police reports, medical records, confidential disciplinary information, or copies of sealed pleadings.

~~(f) Procedures.~~

(e) Meetings and Procedures. The Board may meet as necessary to complete its business. Meetings may be held in person or by videoconference and/or teleconference. All meetings of the Board and its designated committees are open and public, unless the Board meets in Executive Session.

(1) Executive Session. The Board may meet in Executive Session on matters within the Board's scope of work and consistent with the Bar Bylaws.

(2) Quorum. A majority of the Board shall constitute a quorum. The chairperson of the Board may appoint temporary members of the Board or a committee when a member is disqualified or unable to function on a specific matter for good cause.

~~(13) Committees. The Board may establish such committees as the membership may deem necessary and appropriate to the performance of its assigned tasks.~~

~~(3) Action by Board. The full jurisdiction and authority of the Board, as provided in this rule, may be exercised by a committee, except that (1) no advisory opinion may be given without the approval of a majority of the Board; (2) no determination of the unauthorized practice of law by a respondent and referral of a matter to a law enforcement or other agency may be made without the approval of a majority of the Board; and (3) the action of a committee on any matter shall be subject to review and the approval or disapproval of the Board.~~

(4) Voting. Each member shall be entitled to one vote on each matter submitted to a vote at a meeting.

~~(4) Formal Complaint Procedure.~~

~~(A) Preliminary Investigation. The investigation or review of a complaint shall be promptly instituted by the Board or by a member thereof designated by the chair of the Board. If a complaint has been filed, the investigating member shall interview the complainant and respondent and shall conduct such further investigation as is deemed appropriate.~~

~~(B) Report and Written Agreement. Upon the conclusion of an investigation of a complaint, a report shall be made to the Board. If, after consideration of the report, the Board concludes that there has been no unauthorized practice of law, the complaint shall be dismissed and the Board shall so notify the complainant and the respondent in writing and shall close the file in the matter. If the Board concludes that there has been unauthorized practice of law, the Board shall attempt to persuade the respondent to enter into a written agreement to refrain from such conduct in the future. The written agreement may include a stipulation to penalties in the event of continued violation.~~

~~(C) Pending Controversy. The Board may defer investigation if, to the Board's knowledge, the conduct complained of is the subject matter of or might affect a case or controversy pending in any court.~~

~~(D) Informal Disposition. The Board may attempt to arrive at an amicable disposition of any matter within its jurisdiction with the respondent. At any time during the pendency of a matter before it, the Board may conduct an infor-~~

mal conference with the respondent. At the Board's discretion, an electronic recording or written transcription of the proceeding may be made. A respondent subject to an informal conference may be represented by counsel. After a finding by the Board of the unauthorized practice of law, the Board shall endeavor to have the respondent enter into a written agreement to refrain in the future from such conduct. If the respondent declines to enter into a written agreement pursuant to this rule, the Board shall refer the matter to an appropriate law enforcement or other agency in accordance with this rule.

(g) Petitions for Review.

(1) Notice. Within 20 days after an opinion is published, or within 30 days after any final action of the Board other than the publication of any opinion, any aggrieved member of the bar, bar association, person or entity may seek review thereof by serving on the Board a notice of petition for review by the Supreme Court and by filing the original notice with the Clerk of the Supreme Court. The notice shall set forth the petitioner's name and address and, if represented, the name and address of counsel. The notice shall designate the action of the Board sought to be reviewed and shall concisely state the manner in which the petitioner is aggrieved.

(2) Procedure. Petitions for review to the Supreme Court shall comply with the Rules for Appellate Procedure.

(3) Final Determination. The final determination of a petition for review may be either by written opinion or by order of the Supreme Court and shall state whether the opinion or the action of the Board is affirmed, reversed or modified or shall provide for such other final disposition as is appropriate.

(h) Referral to Enforcement Agency.

(1) Referral. When the Board concludes from its preliminary investigation, or from the failure of an informal conference as provided in these rules, that an amicable disposition of any matter within its jurisdiction cannot be effected with the respondent, it shall, based upon the nature of the complaint, the relief sought, and the facts as then known, refer the matter to the law enforcement or other agency the Board determines is best suited to conduct an investigation and any prosecution of such matter.

(2) Contents of File. Upon making a determination that an amicable disposition of a matter cannot be effected, and that the matter should be referred to a particular law enforcement or other agency, the Board shall send such agency the original complaint, response, evidence or other proof, investigative report and, if an informal conference has been conducted, a transcript of such proceedings. The Board shall retain copies of all such documents for its file.

(3) Notice to Complainant. Upon referring a matter to a law enforcement or other agency, the Board shall notify the complainant of such action in writing.

(f) Annual Report. The Board must file a written report and meet with the Court each year. The report must contain the following information:

- (1) Board Roster, including any committees formed;
- (2) Board meeting agendas;
- (3) Short description of all unauthorized practice of law complaints received; whether the board closed, referred or

deferred the complaint; and the name of the agencies receiving the referral;

(4) Progress report or copies of educational materials provided to the public;

(5) Progress report on recommended new legal service providers or legal service delivery mechanisms;

(6) Work plan for the fiscal year;

(7) Long range work plan.

(ig) Immunity from Suit.

(1) The members and staff of the Board shall be absolutely immune from suit, whether legal or equitable in nature, for any conduct in the performance of their official duties.

(2) Persons who bring allegations to the Board concerning any individual or entity to the Board shall be immune from suit, whether legal or equitable in nature, for all communications to the Board or to its staff.

(jh) Regulations. The Board may adopt regulations pertinent to these powers responsibilities subject to the approval of the Supreme Court. Proposed Regulations should be provided to the Washington State Bar Board of Governors for informational purposes.

[Adopted effective September 1, 2001; September 1, 2006.]

REGULATION 1. PURPOSE

The purpose of these regulations is to establish procedures for the Practice of Law Board (POL Board) in order to carry out its purposes and exercise its powers pursuant to General Rule 25 (GR 25).

REGULATION 2. PRACTICE OF LAW

General Rule 24 (GR 24), Definition of the Practice of Law, including any amendments, provides the framework by which the POL Board will carry out its purposes and exercise its powers as set forth in GR 25.

REGULATION 3. ESTABLISHMENT OF THE BOARD

A. Board Members. The POL Board shall consist of 13 members (Member[s]) appointed by the Supreme Court of the State of Washington (Supreme Court) at least four of whom shall be non-lawyer Washington residents and the remainder of whom shall be lawyers licensed to practice law in Washington. Appointments to the POL Board shall be made by the Supreme Court after considering nominations from the WSBA Board of Governors (WSBA Board) and any other interested people or organizations.

B. Member Terms. The Members shall initially be appointed to staggered terms of one to three years. Thereafter, appointments shall be for three year terms. No Member may serve more than two consecutive three year terms.

C. Resignation. A member may resign from the POL Board by letter addressed to the POL Board and the Supreme Court with resignation to be effective two days following the date of the letter or any effective date thereafter which may be specified in the letter.

D. Vacancies. A membership vacancy shall be deemed to occur on the resignation of a Member or upon declaration of a vacancy by the Supreme Court following any request to the Supreme Court by the POL Board for the reasons set forth

in section O below, or if a Member has three consecutive unexcused absences from regular POL Board meetings or is not present at more than a majority of the POL Board meetings during any 12-month period as determined by the chairperson. A membership vacancy shall be filled by the Supreme Court for the unexpired term.

E. Administration of Board. The Washington State Bar Association (WSBA), in consultation with the POL Board, shall provide the POL Board with an administrator (Board Administrator) and any additional staff support as designated by the Executive Director of the WSBA. The Board Administrator shall not be entitled to vote on POL Board matters.

F. Funding and Expenses. The POL Board shall prepare an annual budget to be submitted for approval and on a schedule set by the WSBA Board of Governors. The WSBA shall pay all expenses reasonably and necessarily incurred by the POL Board pursuant to the budget and the expense policy of the WSBA. Funding for the POL Board shall be provided by annual commitments from the WSBA and through a portion of other licensing fees established by the Supreme Court.

G. Officers. The Supreme Court shall annually designate a chairperson and a vice-chairperson from among the POL Board membership.

H. Regular Meetings. The POL Board shall meet as necessary to complete its business not less than once per year as determined by the POL Board or upon call of the chairperson.

I. Regular Meeting/Agenda Notice. The POL Board may file with the Code Reviser a schedule of the time and place of regularly scheduled meetings in January of each year for publication in the Washington State Register. The POL Board shall post an agenda for each regular meeting on the Administrative Office of the Courts website or the WSBA website at least seven days prior to the meeting.

J. Special Meetings. A special meeting of the POL Board may be called at any time by the chairperson or by a majority of the POL Board membership by delivering written notice personally, by mail, or by e-mail to each Member at least two business days before the time of such meeting and by providing notice of the special meeting to the public on the Administrative Office of the Courts website or the WSBA website.

K. Voting. Each Member shall be entitled to one vote on each matter submitted to a vote at a meeting of the POL Board. A majority vote of the Members present at a meeting at which a quorum exists shall, unless a greater vote is required by other provisions of these regulations or by GR 25, decide any issue submitted.

L. Quorum. A majority of the Members shall constitute a quorum. The chairperson may appoint temporary members of the POL Board (or any designated committee) from among former members of the POL Board when a Member is disqualified or unable to function on a specific matter, for good cause. If less than a quorum is present at a meeting, a majority of the Members present may adjourn the meeting and continue it to a later date and time upon notice. At any reconvened meeting at which a quorum is present, any business may be transacted which might have been transacted at the adjourned meeting. Members present at a properly called meeting may continue to transact business until adjournment,

notwithstanding the withdrawal of Members leaving less than a quorum.

M. Action by Communication Equipment. The Members or any designated committee may participate in a meeting of the POL Board or such designated committee by means of a conference phone or similar communications equipment by which all persons participating in the meeting can hear each other at the same time, and participation by such means will constitute presence in person at a meeting.

N. Action Without a Meeting. Any action required or permitted to be taken at a POL Board meeting in Executive Session may be taken without a meeting if a written consent setting forth the action taken or to be taken is signed by each of the Members. Any such written consent (including facsimile and digital signatures) shall be inserted in the minute book as if it were the minutes of a POL Board meeting in Executive Session. Further, such consent shall have the same force and effect as a unanimous vote, and may be stated as such in any document filed for the public record.

O. Removal of a Member. The POL Board may request the Supreme Court to declare a membership vacancy with respect to any Member whose removal from the POL Board would, upon a two-thirds vote of the POL Board excluding the affected Member, be in the best interest of the POL Board; however, such action may only be taken by the POL Board at a regular or special meeting following notice of such proposed action.

P. Committees. The POL Board may establish such committees as the POL Board deems necessary and appropriate with each committee (designated committee) having a specified function determined by the POL Board and having the full jurisdiction and authority of the POL Board as provided in GR 25, except that: 1) no advisory opinion may be issued without the approval of the POL Board; 2) no determination of the unauthorized practice of law by a respondent and referral of a matter to a law enforcement or other agency may be made without the approval of the POL Board; and 3) the action of a designated committee on any matter shall be subject to review and approval/disapproval of the POL Board. The chairperson shall designate a committee chair for each designated committee to serve for a one-year term.

Q. Records. The Board Administrator shall maintain minutes of the POL Board and its designated committees, deliberations, recommendations, and decisions. All records of the POL Board and its committees shall be filed and maintained at the principal office of the WSBA.

R. Open Meeting and Records. All records, files, meetings and proceedings of the POL Board and its designated committees shall be open and public, except that the POL Board may meet in executive session and records and files may be made confidential where the preservation of confidentiality is desirable or where public disclosure might result in the violation of individual rights or in unwarranted private or personal harm. All discussions of particular complaints and investigations will be held in Executive Session. Nothing in these regulations shall be construed to deny access to relevant information by professional licensing or discipline agencies, or other law enforcement authorities, as the Board shall authorize.

S. Public Participation. The chairperson or the chair of any designated committee may allow for public participation at any meeting. Members of the public who wish to address the POL Board or a designated committee at any meeting shall be required to provide contact information on a form provided for that purpose and shall be required to comply with any time limitation deemed appropriate by the chairperson or the designated committee chair.

T. Letterhead. Use of POL Board letterhead shall be limited to official business of the POL Board and specifically shall not be used in connection with any political campaign or to support or oppose any public issue unless the POL Board has taken a position on the issue; to support or oppose any political candidate; or for personal or charitable purposes.

REGULATION 4. CONFLICT OF INTEREST

A. In General. A Member who has or has had a lawyer/client relationship or financial relationship with, or who is an immediate family member of, a person or entity who is a complainant or the subject of a matter before the POL Board shall not participate in the investigation or deliberation on any matter involving that complainant, person, or entity. No WSBA employee shall participate in deliberation on any matter which is pending in, or likely to be referred to, the WSBA attorney disciplinary system or bar admission.

B. Disclosure. A Member with a past or present relationship, other than that as provided in section A above, with a person or entity who is the complainant or subject of a matter before the POL Board, shall disclose such relationship to the POL Board and, if the POL Board deems it appropriate, that Member shall not participate in any action relating to that matter.

REGULATION 5. ADVISORY OPINIONS.

A. Requests for Advisory Opinions. Any person may request an advisory opinion from the POL Board relating to the authority of a non-lawyer to perform legal and law-related services. Such requests shall be in writing in a form and in a manner prescribed by the POL Board and signed by the person requesting the opinion.

B. Board-Initiated Advisory Opinions. The POL Board may render advisory opinions relating to the authority of non-lawyers to perform legal and law-related services in connection with the consideration of any complaint or in any investigation made on its own initiative relating to the unauthorized practice of law by any person or entity.

C. Notice of Request. The POL Board may give notice to any person or entity, either personally or by publication, of any pending request for an advisory opinion or pending POL Board initiated advisory opinion, and invite written comments regarding the pending advisory opinion.

D. Pending Controversy. The POL Board may not render an advisory opinion in any matter that, to its knowledge, is the subject of or might affect a case or controversy pending in any court or administrative [attorney disciplinary] proceeding.

E. Public Hearing. The POL Board may conduct a public hearing at a date and time and in a manner set by the POL Board, designed to make it accessible to interested parties as

determined by the Board, on any request for an advisory opinion or a POL Board initiated advisory opinion.

F. POL Board Action. Upon receipt of a proper request for an advisory opinion, the POL Board may issue an advisory opinion or proposed advisory opinion, or may decline to issue an advisory opinion. If the POL Board issues an advisory opinion, it shall be in writing and shall be transmitted to the person making the request, or in the case of a POL Board initiated advisory opinion, it may be transmitted to any person(s) determined by the POL Board for whose benefit or detriment the advisory opinion was issued.

G. Publication of Advisory Opinions. The POL Board may arrange for the publication of advisory opinions in the Washington State Bar News. Opinions so published shall not, insofar as practicable, identify the party or parties making the inquiry, the complainant or the respondent.

H. Petitions for Review. Petitions for review of any advisory opinion issued by the POL Board shall conform with Regulation 7 below.

REGULATION 6. COMPLAINTS.

A. Filing Complaints. Complaints alleging the unauthorized or unlicensed practice of law shall be submitted to the POL Board, in writing, in a form and manner prescribed by the POL Board.

B. Investigation. The POL Board may, on its own initiative and without any complaint being made to it, investigate any condition, situation or activity involving the unauthorized or unlicensed practice of law of which it becomes aware in the same manner as if a complaint had been made under section A above.

C. Initial Review of Complaints. Upon receipt of a complaint, the Board Administrator shall conduct an initial review to determine whether it is within the jurisdiction of the POL Board or may be subject to deferral. If not within the jurisdiction of the POL Board or if it is subject to deferral, the Board administrator shall advise the complainant that the matter will not be opened as a complaint, and the reasons. The complainant may submit additional information. All such items will be placed on the next POL Board agenda for review and any action deemed appropriate by the POL Board. If the complaint is deemed to be within the jurisdiction of the POL Board and not subject to deferral, the complaint will be opened for investigation.

D. Request for Response. If a complaint is opened for investigation, a copy shall be sent to the respondent with a request to respond within 20 days, and with notice that if the respondent does not respond, the complaint shall be considered without a response.

E. Report and Written Agreement. The complainant and respondent shall be interviewed and such other and further review or investigation may be conducted as is deemed appropriate. A written report and recommendation will be submitted to the Board, by transmitting it to the Board Administrator and the Members. All Members shall have one week (5 working days) to submit comments respecting the report by transmitting them to the Board Administrator and the Members. If the report recommends dismissal of the complaint and there are no adverse comments from the Members within the comment period, the report and recommendation

shall be deemed adopted by the POL Board and the chairperson shall immediately notify the complainant and the respondent, in writing, of the dismissal and the matter shall be closed. If one or more Members disagree with the recommendation for dismissal, the matter shall be placed on the agenda of the next meeting of the POL Board for action by the POL Board. If the report concludes that there has been an unauthorized or unlicensed practice of law, the matter shall be placed on the agenda of the next POL Board meeting for action.

F. POL Board Review. If upon POL Board review of a report and recommendation, the POL Board concludes that there has been no unauthorized or unlicensed practice of law, the complaint shall be dismissed and the chairperson shall so notify the complainant and the respondent, in writing, and shall close the file. If the POL Board concludes that there has been unauthorized or unlicensed practice of law, the POL Board shall proceed in the following manner:

(1) The POL Board shall attempt through the Chairperson or his or her designee to persuade the respondent to enter into a written agreement to refrain from the objectionable conduct in the future. Such written agreement shall be prepared by the Chairperson or his or her designee and may include a stipulation as to penalties in the event of continued unauthorized or unlicensed practice of law which is the subject matter of the agreement or violation of other terms of the agreement.

(2) If the respondent will not enter into a written agreement as set forth in (1) above, the POL Board may attempt to arrive at any other satisfactory disposition as determined by the POL Board. In attempting to arrive at a satisfactory disposition, the POL Board may, at a regular or special POL Board meeting, or by a designated committee, conduct an informal conference with the respondent, which conference may, in the discretion of the chairperson or designated committee chair, be recorded electronically or reported by a certified court reporter. At such informal conference, the respondent may be represented by counsel, but the informal conference shall not be public, nor shall rules of evidence apply. If the informal conference was held by a designated committee, the chair shall render a report, in writing, to the POL Board at the next POL Board meeting for action. If the POL Board determines that the respondent has engaged in the unauthorized or unlicensed practice of law, the POL Board shall endeavor to have the respondent enter into a written agreement to refrain from the objectionable conduct in the future, in the same manner as provided in (1) above. If, however, the respondent declines to enter into a written agreement, the POL Board may refer the matter to the appropriate law enforcement or other agency in accordance with GR 25(h).

G. Pending Controversy. Notwithstanding the foregoing, the POL Board may defer an investigation in any matter that, to its knowledge, is the subject of or might affect a case or controversy pending in any court or administrative [attorney disciplinary] proceeding.

H. Notice of Board Action.

(1) ~~Notice to Parties.~~ The chairperson shall provide notice to any complainant who has not been previously notified of dismissal and each respondent, other than a respondent who has entered into a written agreement, of POL Board action with respect to the complaint or self-initiated investi-

gation within ten days of POL Board action. All such notices of POL Board action shall inform the recipients of the right to petition for review by the Supreme Court as prescribed in GR 25(g).

~~(2) Publication of Notice:~~ The POL Board may, in its discretion, publish notice of Board action on a complaint alleging the unauthorized practice of law in the Washington State Bar News, on the WSBA website, or elsewhere as it deems appropriate. The Board Administrator has discretion in drafting notices for publication, and they should include sufficient information to adequately inform the public of the reasons for the Board's action and conclusions.

REGULATION 7. PETITIONS FOR REVIEW.

Petitions for review from any action of the POL Board to the Supreme Court shall comply with GR 25(g).

REGULATION 8. RECOMMENDATIONS TO THE SUPREME COURT.

A. In General. On the request of the Supreme Court or any person or organization, or on its own initiative, the POL Board may recommend that non-lawyers be authorized to engage in certain defined activities that otherwise constitute the practice of law as defined in GR 24.

B. Public Hearing. The POL Board may, in its discretion, conduct a public hearing upon such notice and at a date, time and in a manner as determined by the POL Board on any self-initiated action or request for a recommendation to the Supreme Court.

C. Recommendation. Any recommendation forwarded by the POL Board to the Supreme Court that non-lawyers be authorized to engage in certain legal or law-related activities that constitute the practice of law as defined in GR 24 shall set forth the determining factors required by GR 25 (e)(4), and any additional factors the POL Board deems relevant.

D. Transmittal of Recommendation to the Board of Governors. Any recommendation from the POL Board pursuant to this Regulation 8 shall be submitted to the WSBA Board of Governors for consideration and comment before transmission to the Supreme Court. The recommendation of the POL Board with comments by the WSBA Board, if any, shall be transmitted to the Supreme Court as provided in GR 25 (e)(4). The WSBA Board of Governors may affirm the recommendation of the POL Board or recommend that it be modified or rejected.

[Approved effective December 2, 2004; Amended effective September 1, 2005.]

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.

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 18-14-005
NOTICE OF PUBLIC MEETINGS
BELLEVUE COLLEGE
[Filed June 21, 2018, 10:42 a.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:

Notice of Public Meetings for 2018-2019

Date	Time	Location
September 5, 2018	12:00 p.m.	Bellevue College
October 17, 2018	12:00 p.m.	Bellevue College
November 14, 2018	12:00 p.m.	Bellevue College
December 5, 2018	8:00 a.m. All-day retreat	Bellevue College
January 9, 2019	12:00 p.m.	Bellevue College
February 6, 2019	12:00 p.m.	Bellevue College
March 6, 2019	12:00 p.m.	Bellevue College
April 24, 2019	12:00 p.m.	Bellevue College
June 5, 2019	12:00 p.m.	Bellevue College
June 19, 2019 - tentative pending budget process	12:00 p.m.	Bellevue College

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 18-14-007
NOTICE OF PUBLIC MEETINGS
BELLINGHAM TECHNICAL COLLEGE
[Filed June 21, 2018, 12:38 p.m.]

The regularly scheduled meeting of the board of trustees of Bellingham Technical College scheduled for Thursday, August 16, 2018, has been cancelled. Call 752-8334 for information.

WSR 18-14-014
NOTICE OF PUBLIC MEETINGS
LAKE WASHINGTON
INSTITUTE OF TECHNOLOGY
[Filed June 25, 2018, 2:15 p.m.]

Pursuant to RCW 42.30.075, Lake Washington Institute of Technology (LWTech) is notifying you of the 2018-2019 schedule of board of trustees meetings. Board meetings are held at the LWTech campus located at 11605 132nd Avenue N.E., Kirkland, WA 98034.

July 2018	No meeting in summer
August 2018	No meeting in summer
September 10, 2018	5:00 p.m. to 7:30 p.m.
October 8, 2018	7:30 a.m. to 9:00 a.m.
November 12, 2018	5:00 p.m. to 7:30 p.m.
December 10, 2018	12:00 p.m. to 2:30 p.m.
January 14, 2019	7:30 a.m. to 9:30 a.m.
February 11, 2019	5:00 p.m. to 7:30 p.m.
March 11, 2019	12:00 p.m. to 3:30 p.m.
April 1, 2019	5:00 p.m. to 7:30 p.m.
May 13, 2019	Retreat 8:30 a.m. to 2:15 p.m. Meeting 2:30 p.m. to 4:00 p.m.
June 3, 2019	1:00 p.m. to 3:30 p.m.
June 14, 2019 COMMENCEMENT	1:00 p.m. to 3:30 p.m.

WSR 18-14-015
AGENDA
OFFICE OF
FINANCIAL MANAGEMENT
[Filed June 25, 2018, 2:37 p.m.]

Following is the office of financial management's (OFM) semi-annual rule-making agenda for publication in the Washington State Register. This list identifies rules under development and rules with anticipated rule-making action during the next six months.

This agenda is available on OFM's web site at <https://ofm.wa.gov/about/rule-making-activities>. The information on the OFM web site is updated as rule-making notices are filed. If OFM should begin rule-making activities for a rule not listed on the attached agenda, that information will also be posted.

If you have any questions, please feel free to contact Roselyn Marcus at Roselyn.Marcus@ofm.wa.gov or by 360-902-0434. If you have specific questions about state personnel rules, these can readily be addressed by Kristie Wilson with OFM rules and appeals. Kristie can be reached at Kristie.wilson@ofm.wa.gov or at 360-407-4139.

**Semi-Annual Rule-Making Agenda
January [July] 1 through June 30 [December 31], 2018**

WAC Citation	Subject Matter/Purpose of Rule	Current Activity/ Approximate Filing Date
WAC 357-25-027	Nondisclosure agreements - amend WAC to ensure clear expectations of what is and what is not acceptable. These rules were filed on an emergency basis effective June 7, 2018.	CR-102 filing anticipated in July.
Chapter 357-26 WAC	Reasonable accommodations - create new WAC to include pregnancy and safety accommodations.	CR-102 filing anticipated in July.
WAC 357-31-360	Military leave - amend WAC to clarify how military leave day is counted when a work shift spans over more than one calendar day. These rules were filed on an emergency basis effective June 7, 2018.	CR-102 filing anticipated in July.
Chapter 357-19 WAC	Background Check rules - amend to remove references to department of early learning and change to department of children, youth, and families. These rules were filed on an emergency basis effective July 1, 2018.	CR-102 filing anticipated in July.
Chapter 357-31 WAC	Shared leave - amend WAC to expand the reasons (pregnancy disability and parental) in which an employee can request shared leave.	CR-102 filing anticipated in July.
WAC 357-31-010 and 357-31-165	Housekeeping.	CR-102 filing anticipated in July.
To be determined	Part-time employees included in civil service	File CR-101 in July.
Chapter 82-60 WAC	All payer claims database (APCD) - chapter 43.371 RCW directs OFM to adopt rules for the APCD. Rule making to implement the APCD will continue to address chemical dependency claims, audit activities, penalties for inappropriate use of data, and updating the additional definitions rule.	Penalties rule will be adopted by August. The hearing and adoption of the audit rules and amendments to the additional definitions rule will be conducted this summer. File CR-102 for chemical dependency fall 2018.

Rosalyn Marcus
Assistant Director
Legal and Legislative Affairs

WSR 18-14-022
INTERPRETIVE STATEMENT
DEPARTMENT OF HEALTH
[Filed June 26, 2018, 5:59 a.m.]

Contact Person: Daidria Amelia Underwood, 360-236-2727, daidria.underwood@doh.wa.gov.

NOTICE OF ADOPTION OF AN INTERPRETIVE STATEMENT
Title of Interpretive Statement: Physician Assistants' Use of DEA Waiver for Buprenorphine.
Issuing Entity: Medical quality assurance commission.
Subject Matter: Physician assistants' use of DEA waiver for buprenorphine.
Effective Date: May 25, 2018.

WSR 18-14-025
NOTICE OF PUBLIC MEETINGS
CENTER FOR CHILDHOOD
DEAFNESS AND HEARING LOSS
[Filed June 26, 2018, 8:17 a.m.]

The Washington state Center for Childhood Deafness and Hearing Loss board of trustees has approved the following board meeting dates. Times for the meetings are 9:45 a.m.

to 3:00 p.m. As soon as an exact location for each meeting has been determined, you will be notified.

Board Meetings

February 8, 2019	Bremerton
March 8, 2019	Olympia
April 12, 2019	Spokane
May 10, 2019	Wenatchee
June 13, 2019	Washington School for the Deaf Campus 611 Grand Boulevard Vancouver, WA
September 13, 2019	Ellensburg
October 11, 2019	Pasco
November 8, 2019	Edmonds
February 14, 2020	Olympia
March 13, 2020	Moses Lake
May 8, 2020	Yakima
June 12, 2020*	Washington School for the Deaf Campus 611 Grand Boulevard Vancouver, WA

(*This date may change depending on graduation)

WSR 18-14-031

**NOTICE OF PUBLIC MEETINGS
STATE BOARD OF HEALTH**

(Governor's Interagency Council on Health Disparities)
[Filed June 26, 2018, 5:33 p.m.]

In accordance with the Open Public Meetings Act (chapter 42.30 RCW), and the Administrative Procedures [Procedure] Act (chapter 34.05 RCW), the following is the updated schedule of public meetings for the Washington state board of health (board), and the governor's interagency council on health disparities (council) for 2018. The board and council meetings are open to the public. We encourage the public to take time to testify on any matter that may come before the board or council.

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

2018 Board/Council Meeting Schedule

Approved by the Board November 8, 2017
(update approved June 14, 2018)
Approved by the Council December 8, 2017

	Meeting Date	Location
Board	Wednesday July 11, 2018 (CANCELLED 6/14/18)	Hold date - meet only if necessary CANCELLED
Board	Wednesday August 8, 2018	Capitol Campus John A. Cherberg Building SHR3 304 15th Avenue S.W. Olympia, WA 98501
Council	Thursday September 13, 2018	Location to be determined (TBD) (likely) Tacoma or Seattle area
Board	Wednesday October 10, 2018	Kittitas Valley Event Center 901 East 7th Avenue Heritage Center Ellensburg, WA 98926
Board	Wednesday November 14, 2018	Department of Health Point Plaza East Room 152/153 310 Israel Road S.E. Tumwater, WA 98501
Council	Thursday December 6, 2018	Department of Health (or location TBD) Point Plaza East Room 152/153 310 Israel Road S.E. Tumwater, WA 98501

Time and locations subject to change as needed. See our web sites at <http://sboh.wa.gov/> and/or <http://healthequity.wa.gov/> for the most current information.

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

WSR 18-14-032

**NOTICE OF PUBLIC MEETINGS
BATES TECHNICAL COLLEGE**

[Filed June 26, 2018, 6:28 p.m.]

**Schedule for Board of Trustee Meetings
Current (March 2018) through Year End 2019**

Date	Time	Location
July 24, 2018 *Regular meeting	3 p.m.	Bates Downtown Campus 1101 South Yakima Avenue Tacoma, WA 98405
August 23-24, 2018 *Retreat	8/23- 9 a.m.-8 p.m. 8/24- 8 a.m.-5 p.m.	Salish Lodge and Spa 6501 Railroad Avenue Snoqualmie, WA 98065
August 28, 2018 *Regular meeting	3 p.m.	Bates South Campus 2201 South 78th Street Tacoma, WA 98409

Date	Time	Location
September 25, 2018 *Work session *Regular meeting	2:30 p.m. 4 p.m.	Bates Downtown Campus 1101 South Yakima Avenue Tacoma, WA 98405
October 23, 2018 *Regular meeting	3 p.m.	Bates Central/Mohler Campus 2320 South 19th Street Tacoma, WA 98405
November 27, 2018 *Work session *Regular meeting	2:30 p.m. 4 p.m.	Bates Downtown Campus 1101 South Yakima Avenue Tacoma, WA 98405
December 18, 2018 *Regular meeting	3 p.m.	Bates Downtown Campus 1101 South Yakima Avenue Tacoma, WA 98405
January 29, 2019 *Regular meeting	3 p.m.	Bates Downtown Campus 1101 South Yakima Avenue Tacoma, WA 98405
February 26, 2019 *Regular meeting	3 p.m.	Bates Downtown Campus 1101 South Yakima Avenue Tacoma, WA 98405
March 26, 2019 *Work session *Regular meeting	2:30 p.m. 4 p.m.	Bates Downtown Campus 1101 South Yakima Avenue Tacoma, WA 98405
April 23, 2019 *Regular meeting	3 p.m.	Bates South Campus 2201 South 78th Street Tacoma, WA 98409
May 28, 2019 *Work session *Regular meeting	2:00 p.m. 4 p.m.	Bates Downtown Campus 1101 South Yakima Avenue Tacoma, WA 98405
June 25, 2019 *Regular meeting	3 p.m.	Bates Downtown Campus 1101 South Yakima Avenue Tacoma, WA 98405
July 23, 2019 *Regular meeting	3 p.m.	Bates Downtown Campus 1101 South Yakima Avenue Tacoma, WA 98405
August 27, 2019 *Regular meeting	3 p.m.	Bates Downtown Campus 1101 South Yakima Avenue Tacoma, WA 98405
September 24, 2019 *Work session *Regular meeting	2:30 p.m. 4 p.m.	Bates Downtown Campus 1101 South Yakima Avenue Tacoma, WA 98405
October 22, 2019 *Regular meeting	3 p.m.	Bates Central/Mohler Campus 2320 South 19th Street Tacoma, WA 98405
November 19, 2019 *Work session *Regular meeting	2:30 p.m. 4 p.m.	Bates Downtown Campus 1101 South Yakima Avenue Tacoma, WA 98405
December 17, 2019 *Regular meeting	3 p.m.	Bates Downtown Campus 1101 South Yakima Avenue Tacoma, WA 98405

WSR 18-14-033**HEALTH CARE AUTHORITY**

[Filed June 27, 2018, 6:36 a.m.]

NOTICE

Title or Subject: Medicaid State Plan Amendment (SPA)
18-0023.

Effective Date: July 1, 2018.

Description: The health care authority (HCA) in conjunction with the aging and long-term support administration (ALTSA) of the department of social and health services (DSHS) intends to submit medicaid SPA 18-0023 in order to increase the medicaid rates for assisted living facilities, nursing facilities, and for the nursing facility swing beds. These changes are due to an increase in appropriation from the state legislature. HCA and DSHS also intend to clarify language regarding what therapies are paid for in the nursing facility daily rate.

SPA 18-0028 is expected to increase the annual aggregate expenditures/payments for assisted living facilities, nursing facilities, and facilities with nursing facility swing beds. The combined total impact for state and federal dollars for all proposed changes is \$14,634,000 for FFY 2018 and \$58,057,000 for FFY 2019.

SPA 18-0028 is in the development process; therefore a copy is not yet available for review. HCA and DSHS 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 in the table 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 Elizabeth Pashley, Office of Rates Management, ALTSA, P.O. Box 45600, phone 360-725-2447, TDD/TTY 1-877-905-0454, fax 360-725-2641, email elizabeth.pashley@dshs.wa.gov, web site <https://www.dshs.wa.gov/altsa/management-services-division/office-rates-management>.

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 18-14-036

AGENDA

DEPARTMENT OF TRANSPORTATION

[Filed June 27, 2018, 10:11 a.m.]

**Semi-Annual Rule-Making Agenda
 (July - December 2018)**

The department of transportation (WSDOT) prepares a semi-annual rule-making agenda in January and July each year to inform the public of expected upcoming rule changes. Pursuant to RCW 34.05.314, the agenda is published in the Washington State Register.

WSDOT encourages the public to be involved in the rule-making processes by attending public hearings and submitting comments on rules.

Additional rule-making information is available on the department's web site at <http://www.wsdot.wa.gov/Policy/Rules/default.htm>.

Subject Matter or Division	WAC Chapter or Section	Purpose and Scope of Rule Making	Preproposal Notice Filings (CR-101)	Proposed Rule and Public Hearing Filings (CR-102 or CR-105 Expedited)	Permanent Rule Filing (CR-103)
Toll division	468-270 468-305	Multiple changes to business rules for new back office system.			
Public records	468-06-090	Billing change for public records services.	17-17-051		
Tolls	468-270	New toll for SR 99.			
Park and ride	468-603	Clarify rules of operation of high-use WSDOT-owned park and ride facilities in urbanized areas.			
Commercial vehicle services	468-38-100	To exempt department snow and ice operation vehicles from needing pilot/escort cars.			

Subject Matter or Division	WAC Chapter or Section	Purpose and Scope of Rule Making	Preproposal Notice Filings (CR-101)	Proposed Rule and Public Hearing Filings (CR-102 or CR-105 Expedited)	Permanent Rule Filing (CR-103)
Commercial vehicle services	468-38	Compliance with federal regulation regarding emergency vehicle weight limits on the interstate system.			
Commercial vehicle services	468-38-073	Add "single unit vehicle" to the rule as it was inadvertently left off when the rule was created.	18-10-066		
Office of equal opportunity	468-14	To create a small and veteran-owned business enforceable goals program to increase small, minority, women and veteran-owned business participation through race-neutral measures.	17-04-100		
Motorist information signage program	468-70	Increase fees for advertising on WSDOT roads.			

WSDOT is responsible for initiating rule making to implement new state laws, meet federal requirements, and to meet unforeseen circumstances. Because of this variability, this agenda is prepared for information purposes only and any dates noted herein are planning estimates that are subject to change. Additional rule making can occur in addition to what is listed on this agenda.

This agenda does not constitute a rule or rule-making action. Any errors or omissions in this agenda do not affect the actual rules or rule making notices filed with the office of the code reviser and published in the Washington State Register.

If you have additional questions, please contact the agency rules coordinator, Karen Engle, at 360-704-6362, or email engleka@wsdot.wa.gov.

WSR 18-14-037

AGENDA

OFFICE OF THE CODE REVISER

[Filed June 27, 2018, 11:13 a.m.]

**Semi-Annual Rule-Making Agenda
July through December 2018**

Following is the office of the code reviser's semi-annual rule-making agenda for publication in the Washington State Register pursuant to RCW 34.05.314.

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

If you have questions about this rule-making agenda, please contact Kerry S. Radcliff, Rules Coordinator, P.O. Box 40551, Olympia, WA 98504-0551, phone 360-786-6697, email Kerry.Radcliff@leg.wa.gov.

WAC Citation	Subject Matter	Current Activity		
		Preproposal (CR-101)	Proposed (CR-102) or Expedited (CR-105)	Permanent (CR-103)
Chapter 1-21 WAC	The changes may include, but not be limited to, filing deadlines; creating explanatory language that will set out in rule a pro	WSR 06-01-003 filed December 7, 2005.		

	cess for accepting electronic filings; and clarifying specific procedures for filing WSR documents.	Will refile CR-101 as we begin the rule-making process, possibly in 2018 or 2019.		
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Kerry S. Radcliff
Rules Coordinator

WSR 18-14-039
HEALTH CARE AUTHORITY

[Filed June 27, 2018, 1:52 p.m.]

NOTICE

Title or Subject: Medicaid State Plan Amendment (SPA) 18-0028 Health Homes Rates.

Effective Date: July 1, 2018.

Description: Medicaid SPA for health homes and the rate structure for the managed fee-for-service (MFFS) delivery system.

The health care authority (HCA), in conjunction with the department of social and health services (DSHS) aging and long-term care services administration, intend to submit SPA 18-0028 in order to update the methodology used to determine the rates paid for health home services. The health home program is a voluntary care coordination model supported by one-on-one, face-to-face visits with eligible high-risk clients who have multiple chronic conditions. The program is available statewide.

SPA 18-0028 is expected to increase the annual aggregate payments to the MFFS health home providers by twenty percent with an additional five percent performance incentive payment to health home providers who meet or exceed the established engagement rate.

The original three-tier health home rates were established in July 2013 and included a withhold amount for tiers two and three. After program review, the withhold amount was removed from the rates in January 2015 to help increase client engagement. In 2016, HCA reviewed the payment rates again and effective July 2017, provided a performance incentive payment to health home providers meeting the established engagement rate.

After review and analysis of the health home rates based on providers' experience and cost expenditures, HCA will increase the current rates effective July 1, 2018. The new payment rates will give health home providers an aggregate increase of twenty percent, which will be spread over the three-tier payment methodology. Additionally, to continue growth and client engagement, a five percent performance incentive payment will be made quarterly to health home providers meeting the higher established engagement rate.

SPA 18-0028 is in the development process; therefore, a copy is not yet available for review. HCA and DSHS 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 in the table or the person named below.

Interested parties may submit comments and concerns about the rates or the effects the changes may have on beneficiary access to care or continued service access. Please submit comments and concerns to the person named below by

July 27, 2018. Please note that all comments are subject to public review and disclosure, as are the names of those who comment.

CONTACT Agnes Ericson, Medicaid Program Development and Implementation, 626 8th Avenue S.E., Mailstop 45530, Olympia, WA 98504, phone 360-725-1115, TRS 711, email Agnes.Ericson@hca.wa.gov, web site <https://www.hca.wa.gov/billers-providers/programs-and-services/resources-0>.

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

If you need further information, please contact Geri M. Nelson by phone 360-725-9898 or email gnelson@wtsc.wa.gov.

WSR 18-14-044

**INTERPRETIVE STATEMENT
 DEPARTMENT OF REVENUE**

[Filed June 28, 2018, 8:48 a.m.]

INTERPRETIVE STATEMENT ISSUED

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

ETA 3210.2018 Manufacturing Airplane Materials or Components and Eligibility for the Preferential Aerospace B&O Tax Rate

This ETA explains how manufacturers or sellers of materials or components subsequently sold to and used by other manufacturers for installation into commercial airplanes may be eligible for the preferential aerospace B&O tax classification.

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

Erin T. Lopez
 Tax Policy Manager
 Rules Coordinator

WSR 18-14-043

**NOTICE OF PUBLIC MEETINGS
 TRAFFIC SAFETY COMMISSION**

[Filed June 28, 2018, 8:19 a.m.]

Following is the schedule of regular meetings for the Washington traffic safety commission for 2018 [2019]:

Date	Time	Location
January 17, 2019	10:30 a.m.- 12 noon	Washington Traffic Safety Commission Offices 621 8th Avenue S.E. Suite 409 Olympia, WA 98504-0944
April 18, 2019	10:30 a.m.- 12 noon	Washington Traffic Safety Commission Offices 621 8th Avenue S.E. Suite 409 Olympia, WA 98504-0944
July 18, 2019	10:30 a.m.- 12 noon	Washington Traffic Safety Commission Offices 621 8th Avenue S.E. Suite 409 Olympia, WA 98504-0944
October 17, 2019	10:30 a.m.- 12 noon	Washington Traffic Safety Commission Offices 621 8th Avenue S.E. Suite 409 Olympia, WA 98504-0944

WSR 18-14-047

**AGENDA
 LIQUOR AND CANNABIS
 BOARD**

[Filed June 28, 2018, 11:43 a.m.]

**Semi-Annual Rule-Making Agenda
 June 30 through December 31, 2018**

Following is the liquor and cannabis board's (WSLCB) semi-annual rule-making agenda for publication in the Washington State Register pursuant to RCW 34.05.314. There may be additional rule-making activity not on the agenda as conditions warrant.

If you have questions about this rule-making agenda, please contact WSLCB Rules Coordinator, P.O. Box 43080, Olympia, WA 98504-3080, phone 360-664-1622, email rules@lcb.wa.gov.

WAC Chapter or Section(s)	Subject Matter	Current Activity		
		Preproposal (CR-101)	Proposal (CR-102) or Expedited (CR-105)	Permanent (CR-103)
Create a new section in chapter 314-02 WAC to clarify the relocation of former state and contract liquor stores	Stakeholder request/I-1183	WSR 13-08-088 Filed 4/3/13		
Spirits mini bottles	Revisions to spirits retail license rules	WSR 18-01-057 Filed 12/13/17	WSR 18-08-090 Filed 4/4/18	
Implementation of 2018 liquor legislation	Liquor law changes	WSR 18-08-089 Filed 4/4/18		
Brewery and winery rules	Revisions to current rules	WSR 18-05-093 Filed 2/21/18		
Spirits distributor license fees	Revisions to current rules	WSR 18-06-109 Filed 3/7/18		
New section in chapter 314-03 WAC	Curbside service	WSR 18-03-184 Filed 1/26/18	WSR 18-10-111 Filed 5/2/18	
Chapter 314-55 WAC	2017 Cannabis legislation rules changes plus other changes identified by internal and external stakeholders	WSR 16-15-035 Filed 7/13/16 WSR 17-15-121 Filed 7/19/17	WSR 18-09-118 Filed 4/18/18 Supplemental CR-102 pending	
Chapter 314-55 WAC	2018 Cannabis legislation rules (ESSB [E2SHB] 2334)	WSR 18-08-092 Filed 4/4/18		
Chapter 314-55 WAC	Cannabis retail title certificate rules	WSR 18-09-117 Filed 4/18/18		
Chapter 314-55 WAC	Cannabis production and canopy rules	WSR 18-01-058 Filed 12/13/17		
Chapter 314-35 WAC	Vapor products rules - updates and improvements	WSR 18-09-116 Filed 4/18/18		

WSR 18-14-048
NOTICE OF PUBLIC MEETINGS
WALLA WALLA
COMMUNITY COLLEGE
 [Filed June 28, 2018, 12:29 p.m.]

The board of trustees of Walla Walla Community College, District Number Twenty, has cancelled its regularly scheduled July 18, 2018, meeting.

Please direct any questions to Jerri Ramsey at jerri.ramsey@wwcc.edu or by phone 509-527-4274.

WSR 18-14-049
AGENDA
BOARD OF
PILOTAGE COMMISSIONERS
 [Filed June 28, 2018, 1:19 p.m.]

Semi-Annual Rule-Making Agenda
July through December 2018

Below is the board of pilotage commissioner's semi-annual rule-making agenda for publication in the Washington State Register pursuant to RCW 34.05.314.

There may be additional rule-making activity not on this agenda. Refer to our web site for periodic updates.

Please direct any questions about this agenda to me, Jaimie Bever, rule[s] coordinator, 2901 Third Avenue, Suite 500, Seattle, WA 98121, 206-515-3904, www.pilotage.wa.gov, email BeverJ@wsdot.wa.gov.

WAC Citation	Subject Matter	Current Activity		
		Preproposal (CR-101)	Proposed (CR-102)	Permanent (CR-103P)
363-116-078	Training program	WSR 17-11-124 5/23/17		
363-116-0751	Qualifications for pilot applicants	WSR 18-07-075 3/19/18	WSR 18-10-061 4/30/18	WSR 18-14-024 6/26/18
363-116-081	Rest period	Intent to file		
363-116-084	Simulator evaluation review and appeal procedures	Intent to file		
363-116-082	Limitations on new pilots	Intent to file		

WSR 18-14-065

AGENDA

ATTORNEY GENERAL'S OFFICE

[Filed June 29, 2018, 9:49 a.m.]

**Semi-Annual Rule-Making Agenda
July 1 through December 31, 2018**

This is the office of the attorney general's semi-annual rule-making agenda for publication in the Washington State Register pursuant to RCW 34.05.314. The office may have additional rule making as conditions warrant.

Should you have questions about this rule-making agenda, please contact Melissa Brearty, Rules Coordinator, P.O. Box 40100, Olympia, WA 98504-0100, 360-534-4849, melb@atg.wa.gov. Additional contact information for particular rules is provided below.

WAC Citation	Subject Matter	Current Activity (In 2018)			Additional Contacts
		Preproposal (CR-101)	Proposed (CR-102) or Expedited (CR-105)	Permanent (CR-103)	
44-06	Model public rules	Anticipated filing of CR-101 to be determined			AAG Jennifer Steele Email JenniferS3@atg.wa.gov Phone 206-389-2106

Melissa Brearty
Rules Coordinator

WSR 18-14-078

DEPARTMENT OF

CHILDREN, YOUTH, AND FAMILIES

[Filed June 29, 2018, 6:07 p.m.]

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.

WSR 18-14-083

AGENDA

WASHINGTON STATE PATROL

[Filed July 2, 2018, 9:55 a.m.]

Pursuant to RCW 34.05.314, below is the Washington state patrol's (WSP) semi-annual rules development agenda for July 1 through December 31, 2018.

This report details current and anticipated rule-making activities for WSP. This agenda is for the information purposes, and the noted dates of anticipated rule-making actions are estimates. There may be additional rule-making activities not anticipated at this time, such as to implement new state laws, meet federal requirements, or other circumstances.

Please contact Kimberly Mathis at 360-596-4017 or Kimberly.mathis@wsp.wa.gov if you have any questions.

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

Chapter(s)	Rule Subject	Proposed Timeline			Brief Description of Changes
		CR-101	CR-102	CR-103	
446-100	Bump-fire stock buyback program	5/7/2018	7/6/2018	TBD	This rule making is in response to ESB 5992 requiring WSP to adopt rules to implement the bump-fire stock buyback program, allowing a person in possession of a bump-fire stock to relinquish the device to WSP in exchange for a monetary payment.
204-91A-060	Registered tow truck operators	5/24/2018	TBD	TBD	This rule making is in response to the tow stakeholders request to amend the disqualifications for applicants, partners, corporate, officers, and employees.
204-50-050 204-50-070	Ignition interlock devices	6/20/2018	8/4/2018	TBD	This rule making will provide clarification to the existing language of interlock device modifications, variable calibrations and related procedures and to ensure the rules reference are in compliance with current laws.
204-50-110	Ignition interlock devices	TBD	TBD	TBD	This rule making is necessary to ensure the rules are up-to-date, consistent with industry practice, for rule clarity, to simplify the rules, and for possible house-keeping changes.
204-50-030 204-50-080	Ignition interlock devices	TBD	TBD	TBD	This rule making is necessary to ensure the rules are up-to-date, consistent with industry practice, for rule clarity, to simplify the rules, and for possible house-keeping changes.
204-21-020	Lighting equipment	TBD	TBD	TBD	This rule making is necessary to ensure the rules are up-to-date, consistent with industry practice, for rule clarity, to simplify the rules, and for possible house-keeping changes.
446-20-160	Review of refusal to alter record	TBD	TBD	TBD	This rule making is necessary to ensure the rules are up-to-date, consistent with industry practice, for rule clarity, to simplify the rules, and for possible house-keeping changes.

Chapter(s)	Rule Subject	Proposed Timeline			Brief Description of Changes
		CR-101	CR-102	CR-103	
21-10	Smoke detection devices in dwelling units	TBD	TBD	TBD	This rule making is necessary to ensure the rules are up-to-date, consistent with industry practice, for rule clarity, to simplify the rules, and for possible house-keeping changes.

Kimberly Mathis
Rules Coordinator

WSR 18-14-092
NOTICE OF PUBLIC MEETINGS
BATES TECHNICAL COLLEGE
[Filed July 2, 2018, 1:57 p.m.]

Schedule for Board of Trustee Meetings
Current (March 2018) through Year End 2019

Date	Time	Location
July 24, 2018 *Work session *Regular meeting	2:00 p.m. 3:00 p.m.	Bates South Campus Auditorium 2201 South 78th Street Tacoma, WA 98409
August 23-24, 2018 *Retreat	8/23: 10:00 a.m.- 8:00 p.m. 8/24: 8:00 a.m.- 5:00 p.m.	Salish Lodge and Spa 6501 Railroad Avenue Snoqualmie, WA 98065
August 28, 2018 *Regular meeting	3:00 p.m.	Bates South Campus 2201 South 78th Street Tacoma, WA 98409
September 25, 2018 *Work session *Regular meeting	2:30 p.m. 4:00 p.m.	Bates Downtown Campus 1101 South Yakima Avenue Tacoma, WA 98405
October 23, 2018 *Regular meeting	3:00 p.m.	Bates Central/Mohler Campus 2320 South 19th Street Tacoma, WA 98405
November 27, 2018 *Work session *Regular meeting	2:30 p.m. 4:00 p.m.	Bates Downtown Campus 1101 South Yakima Avenue Tacoma, WA 98405
December 18, 2018 *Regular meeting	3:00 p.m.	Bates Downtown Campus 1101 South Yakima Avenue Tacoma, WA 98405
January 29, 2019 *Regular meeting	3:00 p.m.	Bates Downtown Campus 1101 South Yakima Avenue Tacoma, WA 98405
February 26, 2019 *Regular meeting	3:00 p.m.	Bates Downtown Campus 1101 South Yakima Avenue Tacoma, WA 98405
March 26, 2019 *Work session *Regular meeting	2:30 p.m. 4:00 p.m.	Bates Downtown Campus 1101 South Yakima Avenue Tacoma, WA 98405
April 23, 2019 *Regular meeting	3:00 p.m.	Bates South Campus 2201 South 78th Street Tacoma, WA 98409

Date	Time	Location
May 28, 2019 *Work session *Regular meeting	2:00 p.m. 4:00 p.m.	Bates Downtown Campus 1101 South Yakima Avenue Tacoma, WA 98405
June 25, 2019 *Regular meeting	3:00 p.m.	Bates Downtown Campus 1101 South Yakima Avenue Tacoma, WA 98405
July 23, 2019 *Regular meeting	3:00 p.m.	Bates Downtown Campus 1101 South Yakima Avenue Tacoma, WA 98405
August 27, 2019 *Regular meeting	3:00 p.m.	Bates Downtown Campus 1101 South Yakima Avenue Tacoma, WA 98405
September 24, 2019 *Work session *Regular meeting	2:30 p.m. 4:00 p.m.	Bates Downtown Campus 1101 South Yakima Avenue Tacoma, WA 98405
October 22, 2019 *Regular meeting	3:00 p.m.	Bates Central/Mohler Campus 2320 South 19th Street Tacoma, WA 98405
November 19, 2019 *Work session *Regular meeting	2:30 p.m. 4:00 p.m.	Bates Downtown Campus 1101 South Yakima Avenue Tacoma, WA 98405
December 17, 2019 *Regular meeting	3:00 p.m.	Bates Downtown Campus 1101 South Yakima Avenue Tacoma, WA 98405

WSR 18-14-093
RULES OF COURT
STATE SUPREME COURT
[June 29, 2018]

IN THE MATTER OF THE SUGGESTED) ORDER
AMENDMENTS TO GR 14—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—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.

DATED at Olympia, Washington this 29th day of June, 2018.

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

**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

TITLE	ABBREVIATION
extraordinary sessions	Laws of 1963, 1st Ex. Sess., ch. 26
Washington Reports, 1st & 2d Series	Wash.; Wn.2d
Washington Territory Reports	Wash. Terr.
Washington Appellate Reports	Wn. App.; Wn. App. 2d
Washington Administrative Code	WAC
Washington State Register	Wash. St. Reg.

Early Statutes

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 consis-

tency 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 to 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 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 18-14-099

DEPARTMENT OF COMMERCE

[Filed July 3, 2018, 11:19 a.m.]

The Washington state department of commerce plans to hold a public hearing on the proposed Washington state plan for the 2019-2020 community services block grant (CSBG).

The plan will be available for viewing July 16 - August 14, 2018, on our web site at <http://www.commerce.wa.gov/serving-communities/community-opportunities/community-services-block-grants/>.

The hearing will be held on Thursday, August 16, 2018, from 10:00 a.m. - 12:00 p.m. at the Department of Commerce, 4th Floor Conference Room #434, 1011 Plum Street S.E., Olympia, WA 98501.

Two typewritten copies of all oral testimony are requested. There will be a question and answer period. Written testimony will be accepted until 5:00 p.m., Thursday, August 16, 2018.

Written testimony for the CSBG hearing should be sent to the attention of Karen Dunn, Department of Commerce, 1011 Plum Street S.E., P.O. Box 42525, Olympia, WA 98504-2525.

The plan will be available in alternate formats upon request by mail or by TTY 360-586-4623. Meetings sponsored by commerce are accessible to persons with disabilities. Accommodations may be arranged with a minimum of ten working days' notice to Monica Bhavnani at 360-725-2854 or monica.bhavnani@commerce.wa.gov. A copy of the document can be mailed to you upon request.

If you have any questions or need additional information, please contact Monica Bhavnani at 360-725-2854 or monica.bhavnani@commerce.wa.gov.

WSR 18-14-104

SUPERINTENDENT OF PUBLIC INSTRUCTION

[Filed July 3, 2018, 12:32 p.m.]

NOTICE OF PUBLIC HEARING

WAC 392-125-010

EDUCATIONAL SERVICE DISTRICT ACCOUNTING MANUAL

Public Hearing/Written Comments: A public hearing adopting changes relating to the 2017-2018 Accounting Manual for Educational Service Districts; and publication of the 2017-2018 Educational Service District Accounting Manual in accordance with WAC 392-125-010 will be held on August 14, 2018, at 10:00 a.m., at the Office of Superintendent of Public Instruction, Wanamaker Room, 600 South Washington Street, Olympia, WA 98501.

Written comments may be submitted directly to Paul Stone, Office of Superintendent of Public Instruction, P.O. Box 47200, Olympia, WA 98504-7200, Paul.Stone@k12.wa.gov, on or before August 14, 2018.

Chris P. S. Reykdal
State Superintendent
of Public Instruction

WSR 18-14-105
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

[Filed July 3, 2018, 12:45 p.m.]

Notice of Interpretive or Policy Statement

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

Developmental Disabilities Administration (DDA)

Document Title: Public Comment Notice for Proposed Developmental Disabilities Administration HCBS Waiver Amendments.

Subject: Basic plus, core, community protection, children's intensive in-home behavioral support and individual and family services HCBS waiver amendments are available for thirty days of public comment from July 27 through August 27, 2018.

Effective Date: July 5, 2018.

Document Description: DDA within the department of social and health services, in cooperation with the health care authority, is posting for thirty days of public comment amendments for the five DDA waivers. The amendments describe an updated assessment tool for determining ICF/IID level of care and the support needs level for waiver participants with little or no impact on participants. The proposed waiver amendments are available at <https://www.dshs.wa.gov/dda>.

To receive a copy of the interpretive or policy statements, contact Bob Beckman, DDA, P.O. Box 45310, Olympia, WA 98504-5310, phone 360-407-1555, TDD/TTY 711 or 1-800-833-6388, fax 360-407-0955, email bob.beckman@dshs.wa.gov, web site <https://www.dshs.wa.gov/dda>.

WSR 18-14-110

AGENDA
WASHINGTON STATE UNIVERSITY

[Filed July 5, 2018, 9:28 a.m.]

Semi-Annual Agenda for Rules Under Development
July 2018

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

tional rule-making activity not now anticipated may also be added as conditions warrant between semi-annual agendas.

1. **Chapter 504-49 WAC, Renewable energy system incentive rules**, new rules regarding the legislatively mandated administration of the state renewable energy system incentive program by the WSU energy program. Anticipate filing supplemental CR-102 for permanent rules in July 2018.

2. **Chapter 504-19 WAC, Campus parking and traffic regulations for Washington State University Vancouver**, rule-making amendments to the parking and traffic regulations for the WSU Vancouver campus. Anticipate filing CR-102 for permanent rules in September 2018.

3. **Chapter 504-04 WAC, Practice and procedure**, rule-making amendments to the university's procedural rules. Anticipate filing CR-102 for permanent rules in September 2018.

4. **Chapter 504-26 WAC, Standards of conduct for students**, rule-making amendments to the standards of conduct for students. Anticipate filing CR-102 for permanent rules in September 2018.

5. **Chapter 504-36 WAC, Health and safety regulations**, rule-making amendments to the health and safety regulations regarding spectator events. Anticipate filing the CR-101 on July 5, 2018, and filing the CR-102 for permanent rules in September 2018.

For more information regarding the semi-annual agenda, contact Deborah Bartlett, Rules Coordinator, Washington State University, P.O. Box 641225, Pullman, WA 99164-1225, phone 509-335-2005, email prf.forms@wsu.edu.

Deborah Bartlett
Rules Coordinator

WSR 18-14-111

NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
LABOR AND INDUSTRIES

(Advisory Board of Plumbers)

[Filed July 5, 2018, 9:59 a.m.]

Advisory Board of Plumbers Meetings for 2018

The quarterly meetings for the advisory board of plumbers have been scheduled for 2018. The meetings are to begin 9:30 a.m. on the third Tuesday of January, April, July, and October at the following location:

Date(s)	Time	Location
July 17, 2018	9:30 a.m.	Department of Labor and Industries 12806 Gateway Drive Tukwila, WA 98168
October 16, 2018	9:00 a.m.	Department of Labor and Industries 12806 Gateway Drive Tukwila, WA 98168

If you have any questions, please contact Alisha Wells at 360-902-6632 or WELA@Lni.wa.gov.

WSR 18-14-117
INTERPRETIVE STATEMENT
DEPARTMENT OF
FINANCIAL INSTITUTIONS

[Filed July 5, 2018, 11:18 a.m.]

Description Statement Pursuant to RCW 34.05.230(4)

Securities Act Interpretive Statement 23
Re: Nonprofit Exemption at RCW 21.20.310(11) -
Restricted Offering Class

July 5, 2018

On July 2, 2018, the securities administrator adopted Securities Act Interpretive Statement 23 regarding the non-profit securities exemption at RCW 21.20.310(11). The interpretive statement addresses inquiries the securities division has received regarding the restricted offering class provision in the exemption, which states that the exemption applies only to securities issued by nonprofit organizations that are offered or sold "to persons who, prior to their solicitation for the purchase of said securities, were members of, contributors to, or listed as participants in, the organization, or their relatives[.]"

Interested persons may obtain a copy of Securities Act Interpretive Statement 23 by contacting Jill Valley, Securities Division, Department of Financial Institutions, P.O. Box 9033, Olympia, WA 98507, 360-902-8801, jill.valley@dfi.wa.gov.