

WSR 19-13-005**PREPROPOSAL STATEMENT OF INQUIRY
HORSE RACING COMMISSION**

[Filed June 6, 2019, 12:23 p.m.]

Subject of Possible Rule Making: WAC 260-60-300
Who may claim.

Statutes Authorizing the Agency to Adopt Rules on this
Subject: RCW 67.16.020.

Reasons Why Rules on this Subject may be Needed and
What They Might Accomplish: To add language that would
prohibit a licensee from depositing a claim if a civil judgment
is filed or financial agreement is in noncompliance for debts
incurred in regards to their racing business.

Process for Developing New Rule: Negotiated rule mak-
ing.

Interested parties can participate in the decision to adopt
the new rule and formulation of the proposed rule before pub-
lication by contacting Douglas L. Moore, 6326 Martin Way,
Suite 209, Olympia, WA 98516, phone 360-450-6462, fax
360-450-6461, TTY 360-450-6462, email doug.moore@
whrc.state.wa.us, web site www.whrc.wa.gov; or Amanda
Benton, 6326 Martin Way, Suite 209, Olympia, WA 98516,
phone 360-450-6462, fax 360-450-6461, TTY 360-450-
6462, email amanda.benton@whrc.state.wa.us, web site
www.whrc.wa.gov.

June 6, 2019
Douglas L. Moore
Executive Secretary

Other Federal and State Agencies that Regulate this Sub-
ject and the Process Coordinating the Rule with These Agen-
cies: The United States Administration for Children & Fami-
lies, Office of Child Care, administers the federal Child Care
Development Fund (CCDF) and ensures that Washington and
all other states receiving CCDF appropriations comply with
federal requirements. DCYF submits a CCDF plan every
three years to the Office of Child Care that serves as a grant
application and describes how DCYF will comply with fed-
eral CCDF participation requirements. DCYF engages in any
necessary rule making to implement the plan once it is
approved. DCYF also collaborates with, and seeks approval
from, DOH on rules covering health and environmental stan-
dards.

Process for Developing New Rule: Negotiated rule mak-
ing; and collaborative.

Interested parties can participate in the decision to adopt
the new rule and formulation of the proposed rule before pub-
lication by contacting Deborah O'Neill [O'Neil], 3918 West
Court Street, Pasco, WA 99301, phone 509-544-5706, email
Deborah.o'neil@dcyf.wa.gov, web site www.dcyf.wa.gov,
www.dcyf.wa.gov/practice/policy-laws-rules/rule-making/
participate/online; or Tyler Farmer, P.O. Box 40975, Olym-
pia, WA 98504-0975, phone 360-628-2151, email tyler.
farmer@dcyf.wa.gov.

June 7, 2019
Brenda Villarreal
Rules Coordinator

WSR 19-13-015**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
CHILDREN, YOUTH, AND FAMILIES**

[Filed June 7, 2019, 3:26 p.m.]

Subject of Possible Rule Making: Foundational quality
standards for early learning programs.

Statutes Authorizing the Agency to Adopt Rules on this
Subject: RCW 43.216.055, 43.216.065 and 43.216.250;
chapter 43.216 RCW.

Reasons Why Rules on this Subject may be Needed and
What They Might Accomplish: The department of children,
youth, and families (DCYF) intends to amend chapter 110-
300 WAC, Child care licensing rules, to implement chapter
362, Laws of 2019 (immunizations and immunization
records) and Directive of the Governor 19-05 (professional
development requirements for certain individuals hired or
promoted by a child care center). DCYF anticipates amend-
ing training requirements to fully comply with the reautho-
rized Child Care and Development Block Grant Act and
related federal rules. Anticipated amendments requested by
stakeholders will implement sanitation standards recom-
mended by the Washington state department of health (DOH)
and ensure nondiscrimination requirements apply only to fed-
eral and state protected groups. Finally, potential amend-
ments may include nonsubstantive, technical changes
intended to improve clarity and readability.

WSR 19-13-030**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF ECOLOGY**

[Order 19-01—Filed June 12, 2019, 7:25 a.m.]

Subject of Possible Rule Making: The department of
ecology is beginning rule making to amend chapter 173-
201A WAC, Water quality standards for surface waters of the
state of Washington. Ecology is considering adopting one or
more variances to the water quality standards that meet the
requirements of WAC 173-201A-420 (variance section), for
polychlorinated biphenyls (PCB) for the Spokane River, in
water resource inventory area (WRIA) 57.

Ecology will consider amending sections of chapter 173-
201A WAC that address variances to the standards, including
amendments to WAC 173-201A-420 Variance and 173-
201A-602 Table 602—Use designations for fresh waters by
water resource inventory area (WRIA), as well as any other
sections that need to be amended to support adopting the
above-noted variances.

Statutes Authorizing the Agency to Adopt Rules on this
Subject: RCW 90.48.035 provides clear and direct authority
to ecology to revise the surface water quality standards.

Reasons Why Rules on this Subject may be Needed and
What They Might Accomplish: WAC 173-201A-420 pro-
vides the pathway to establish a variance, which is described
as a discharger-specific or waterbody-wide approach that
maintains the ultimate goal of reaching the water quality
standard or the highest attainable condition in the river, but

achieves it in a step-by-step process over a longer period of time. Ecology must receive adequate information from interested parties (application) that meets WAC 173-201A-420(3) before moving forward with rule making.

Ecology is taking this rule-making action in response to receiving completed applications from five national pollutant discharge elimination system (NPDES) permitted dischargers to the Spokane River in April 2019:

- Liberty Lake Sewer and Water District - Water Reclamation Facility (Liberty Lake)
- Kaiser Aluminum Washington LLC - Trentwood (Kaiser)
- Inland Empire Paper Company (IEP)
- Spokane County Regional Water Reclamation Facility
- City of Spokane - Riverside Park Water Reclamation Facility.

Ecology has administratively extended these five NPDES permits beyond their original expiration date. The dischargers are seeking variances because of concerns that they will be unable to meet future permit limits for PCBs. This is the first time ecology has received formal requests for variances. These requests are part of the larger community efforts happening on the Spokane River watershed to address PCB pollution in the Spokane River.

Ecology will consider the information provided in the variance applications, as well as additional input that may be provided through the rule-making process, to develop the variances and determine whether it is appropriate to adopt them into the standards.

In developing the variances, ecology would establish a time-limited interim standard in each variance that would be used to set discharge effluent limits, allowing NPDES permitted dischargers to meet their numeric permit limits. Additionally, the variances would require implementation of pollutant minimization plans to continually reduce sources of PCB pollution to the Spokane River. The variance pathway requires mandatory reviews of the progress, and requires adaptive management to meet the goals of the variance. Ecology will evaluate the progress of meeting the variance goals at each permit reissuance cycle (every five years).

A new federal regulation, establishing variances as a tool for meeting water quality standards, was published in August 2015 at 40 C.F.R. 131.14. Additionally, ecology adopted revised state regulations for variances in August 2016. Together, these regulations provide the process for dischargers to apply for, and ecology to consider, adopting a variance through the rule-making process. As with any proposed rule change, a variance might or might not be formally adopted, depending on the outcome of the rule adoption process.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: We will work with the federal Environmental Protection Agency to ensure that the adopted water quality standards meet Clean Water Act approval. We will work with the Spokane tribe and other tribes who have interest and/or proximity to the Spokane River. We will work with other state agencies who have a role or interest in implementing the adopted water quality standard, including Washington department of fish and wildlife, Washington department of health, and Wash-

ington department of agriculture. We will also work with Spokane city and county governments, and entities noted above, to discuss, and seek input on, rule-making language development.

Process for Developing New Rule: Ecology will follow the standard process for the adoption of rules under the Administrative Procedure Act (chapter 34.05 RCW).

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Susan Braley, Rule Writer, Department of Ecology, Water Quality Program, P.O. Box 47600, Olympia, WA 98504, phone 360-407-6414, people with speech disability may call TTY at 877-833-6341, people with impaired hearing may call Washington relay service at 711, email swqs@ecy.wa.gov, web site <https://ecology.wa.gov/Regulations-Permits/Laws-rules-rulemaking/Rulemaking/WAC173-201A-variances>, sign up to receive email notices <http://listserv.ecology.wa.gov/scripts/wa-ECOCLOGY.exe?SUBED1=ECOCLOGY-WATER-QUALITY-INFO&A=1>; or Cheryl Niemi, Technical Lead, Department of Ecology, Water Quality Program, P.O. Box 47600, Olympia, WA 98504, phone 360-407-6440, people with speech disability may call TTY at 877-833-6341, people with impaired hearing may call Washington relay service at 711, email swqs@ecy.wa.gov, web site <https://ecology.wa.gov/Regulations-Permits/Laws-rules-rulemaking/Rulemaking/WAC173-201A-variances>.

Additional comments: Interested parties can stay informed about the rule making and public involvement opportunities as described above. Ecology will extend an offer for government-to-government consultation with tribal governments during each phase of rule development.

June 12, 2019

Heather R. Bartlett

Water Quality Program Manager

WSR 19-13-036

PREPROPOSAL STATEMENT OF INQUIRY LIQUOR AND CANNABIS BOARD

[Filed June 12, 2019, 11:37 a.m.]

Subject of Possible Rule Making: Chapter 314-35 WAC, Vapor products, the Washington state liquor and cannabis board (board) is considering creating new sections and amending existing sections of rule to implement the directives of EHB 1074 (chapter 15, Laws of 2019), regarding vapor product legal age for sales; and ESSHB [E2SHB] 1873 (chapter 445, Laws of 2019), regarding vapor product taxation.

Statutes Authorizing the Agency to Adopt Rules on this Subject: EHB 1074 (chapter 15, Laws of 2019); ESSHB [E2SHB] 1873 (chapter 445, Laws of 2019); and chapter 70.345 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: New sections of rule and amendments to existing rule are needed to implement the directives and provisions of EHB 1074, regarding vapor

product legal age for sales; and ESSHB [E2SHB] 1873, regarding vapor product taxation.

The board will also consider clarifying and technical updates to existing rule to ensure consistency and enforceability.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The board will coordinate with the Washington state department of health, and other public agencies as needed.

Process for Developing New Rule: Collaborative rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Katherine Hoffman, P.O. Box 43080, Olympia, WA 98504, phone 360-664-1622, fax 360-664-9689, email Rules@lcb.wa.gov, web site lcb.wa.gov.

June 12, 2019
Jane Rushford
Chair

WSR 19-13-037
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
LIQUOR AND CANNABIS
BOARD

[Filed June 12, 2019, 11:58 a.m.]

Consistent with RCW 34.05.335 and WAC 1-21-060, the liquor and cannabis board is withdrawing its preproposal statement of inquiry (CR-101), filed on April 18, 2018, as WSR 18-09-116, concerning consideration of revisions to vapor product rules contained in chapter 314-35 WAC.

Jane Rushford
Chair

WSR 19-13-038
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH
(Board of Hearing and Speech)

[Filed June 12, 2019, 12:14 p.m.]

Subject of Possible Rule Making: WAC 246-828-020, 246-828-025, 246-828-04503, 246-828-075, 246-828-300 and 246-828-990 hearing and speech, the board of hearing and speech (board) is considering amending these rule sections to update examination standards, move part of a definition to a more appropriate section of rule, clarify supervision requirements, update expired license or certification requirements and establish fees for the hearing aid specialist practical examinations.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.35.161 and 43.70.250.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The board will consider updating examination standards and limiting how many times an applicant can retake the examination before being required

to take additional coursework. The board has concerns and questions for public safety when applicants need to retake the examinations multiple times, sometimes as many as three to six times. The board wants the applicant to be competent in their scope of practice.

The board is considering a recommendation to move part of the definition of "postgraduate professional work experience" out of the definition section and move it to WAC 246-828-04503.

The board will also consider adding clarity to the supervision requirements for students, interim permit holders, and speech-language pathology assistants. This rule section is confusing as to whether it addresses all students and their supervisors or just supervisors and licensees (interim permit holders, and speech-language pathology assistants).

The board will consider updating the expired license or certification requirements. To be more flexible the board is considering adjusting the requirement of having to retake the national examination if the practitioner has not been actively practicing after three years.

The board will consider establishing fees for the hearing aid specialist (HAS) practical examination, which is required for graduates of board-approved nine month certificate programs. The HAS program was implemented by legislation in 2015 when EHB 2108 passed the legislature. Currently there is no fee set for the HAS practical examination. At the time of implementation of the program, practical examination fees were not established because HB [EHB] 2018 [2108] required the department to track all costs of the practical examinations for two years. The board is currently paying for all costs associated with the practical examination for the HAS program. After tracking and analyzing examination costs, the department and the board are ready to consider establishing appropriate fees in rule for these practical exams.

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

Process for Developing New Rule: Collaborative rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Kim-Boi Shadduck, Program Manager, P.O. Box 47852, Olympia WA 98504, phone 360-236-2912, fax 360-236-2901, TTY 360-833-6388 or 711, email kimboi.shadduck@doh.wa.gov.

Additional comments: Rule notices will be posted on the professions main web page with a link for interested parties who may subscribe to have emailed information through GovDelivery. This can be found at <https://www.doh.wa.gov/LicensesPermitsandCertificates/ProfessionsNewReneworUpdate/HearingandSpeechServices>. Stakeholders will be invited to participate in board meetings and rule drafting workshops. Stakeholders will also be able to provide written and verbal comments when formal proposed rules are filed.

June 11, 2019
Lisa Illich, Chair
Board of Hearing and Speech

WSR 19-13-051
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FISH AND WILDLIFE

[Filed June 13, 2019, 11:49 a.m.]

June 13, 2019

Scott Bird

Rules Coordinator

Subject of Possible Rule Making: The department is considering amendments to shellfish and marine fish recreational fishing rules.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.04.012, 77.04.020, 77.04.055, 77.12.045, and 77.12.047.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is considering amendments to shellfish and marine fish recreational fishing rules to provide fishing opportunity, to address conservation objectives, and to simplify rules.

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

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Scott Bird, P.O. Box 43152, Olympia, WA 98501, phone 360-902-22403 [360-902-2403], fax 360-902-2403 [360-902-2162], email Rules.Coordinator@dfw.wa.gov.

June 13, 2019
 Scott Bird
 Rules Coordinator

WSR 19-13-052
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FISH AND WILDLIFE

[Filed June 13, 2019, 11:50 a.m.]

Subject of Possible Rule Making: The department is considering amendments to freshwater recreational gamefish rules.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.04.012, 77.04.020, 77.04.055, 77.12.045, and 77.12.047.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is considering amendments to freshwater recreational gamefish rules to provide fishing opportunity, to address conservation objectives, to satisfy legislation, and to simplify rules.

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

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Scott Bird, P.O. Box 43152, Olympia, WA 98501, phone 360-902-22403 [360-902-2403], fax 360-902-2403 [360-902-2162], email Rules.Coordinator@dfw.wa.gov.

WSR 19-13-055

PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
NATURAL RESOURCES

[Filed June 13, 2019, 4:25 p.m.]

Subject of Possible Rule Making: Revising chapter 332-120 WAC to add a reasonable method of survey monument preservation throughout the bituminous surface treatment process, commonly referred to as chip seal.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 58.24.030, 58.24.040, 58.09.050, and 58.17.160.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The chip seal process is a temporary covering of survey monuments in the roadway. It is not a removal or destruction of survey monuments. The proposed rule will provide a means to document the chip seal overlay and require that survey monuments be uncovered.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Coordination on compliance will be with the board of registration for engineers and land surveyors and the county road administration board (CRAB).

Process for Developing New Rule: Drafted in conjunction with stakeholders, including the board of registration and CRAB. The full rule-making process will be used.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Patrick J. Beehler, PLS, CFedS, 1111 Washington Street S.E., Olympia, WA 98504-7030, phone 360-902-1181, fax 306-902-1778 [360-902-1778], email pat.beehler@dnr.wa.gov, web site <https://www.dnr.wa.gov/>; or Bob Knuth, PLS, CFedS, 801 88th Avenue S.E., Tumwater, WA 98504-7019, phone 360-902-1197, fax 360-902-1191, email bob.knuth@dnr.wa.gov, web site <https://www.dnr.wa.gov/public-land-survey-office>.

June 10, 2019
 Angus W. Brodie
 Deputy Supervisor
 State Uplands

WSR 19-13-056

PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY

[Filed June 14, 2019, 10:57 a.m.]

Subject of Possible Rule Making: WAC 182-502-0002 Eligible provider types; and other related rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021, 41.05.160, ESHB 1109 (section 211(49), 2019 regular session).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The agency is amending this

section to add dental health aide therapists to the list of eligible providers who can be reimbursed for providing services to medicaid clients in tribal facilities. During the course of this review, the agency may identify additional changes that are required in order to improve clarity or update policy.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Centers for Medicare and Medicaid Services.

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Michael Williams, P.O. Box 42716, Olympia, WA 98504-2716, phone 360-725-1346, fax 360-586-9727, telecommunication relay services 711, email michael.williams@hca.wa.gov, web site www.hca.wa.gov/about-hca/rulemaking.

June 14, 2019
Wendy Barcus
Rules Coordinator

WSR 19-13-058

PREPROPOSAL STATEMENT OF INQUIRY HEALTH CARE AUTHORITY

[Filed June 14, 2019, 11:08 a.m.]

Subject of Possible Rule Making: WAC 182-505-0215 Eligibility for the Washington apple health with premiums (CHIP) program.

Statutes Authorizing the Agency to Adopt Rules on this Subject: 42 C.F.R. 457.310, RCW 41.05.021, 41.05.050, 41.05.065, 41.05.0160 [41.05.160], 34.05.010, 74.09.500.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: During the 2017 legislative session, the Washington state legislature passed EHB 2242 which created the school employees' benefits board (SEBB) health insurance benefit beginning January 1, 2020. The availability of this benefit, beginning January 1, 2020, means these children no longer meet the definition of targeted low-income children under 42 C.F.R. 357.310, and will not be eligible for the children's health insurance program, also known as Washington apple health with premiums program. During the course of this review, the agency may identify additional changes that are required in order to improve clarity or update policy.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Centers for Medicaid [Medicare] and Medicaid Services, department of social and health services, and the health benefits exchange.

Process for Developing New Rule: The agency welcomes the public to take part in developing this rule. If interested, contact the person identified below to receive an early rule draft to review. After the early review, the agency will

send a notice of proposed rule making (CR-102) to everyone receiving this notice and anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Valerie Smith, Rules Program Manager, P.O. Box 42716, Olympia, WA 98504-2716, phone 360-725-1344, fax 360-586-9727, telecommunication relay services 711, email valerie.smith@hca.wa.gov, web site www.hca.wa.gov/about-hca/rulemaking.

June 4, 2019
Wendy Barcus
Rules Coordinator

WSR 19-13-059

PREPROPOSAL STATEMENT OF INQUIRY HEALTH CARE AUTHORITY

[Filed June 14, 2019, 11:21 a.m.]

Subject of Possible Rule Making: WAC 182-511-1000 Health [Health] care workers with disabilities (HWD)—Program description, 182-511-1050 Health care workers with disabilities (HWD)—Program requirements, 182-511-1060 Washington apple health—Health care workers with disabilities (HWD)—Income standard based on the federal poverty guidelines, 182-511-1100 Health care workers with disabilities (HWD)—Retroactive coverage, 182-511-1150 Health care workers with disabilities (HWD)—Disability requirements, 182-511-1200 Health care workers with disabilities (HWD)—Employment requirements, 182-511-1250 Health care workers with disabilities (HWD)—Premium payment, 182-512-0550 SSI-related medical, and other rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: SHB 1199 (chapter 70, Laws of 2019); RCW 41.05-021, 41.05.160.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The agency is revising these rules to comply with the requirements of SHB 1199.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Centers for Medicare and Medicaid Services, the department of social and health services.

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Valerie Smith, Rules Program Manager, P.O. Box 42716, Olympia, WA 98504-2716, phone 360-725-1344, fax 360-586-9727, telecommunication relay services 711, email valerie.smith@hca.wa.gov, web site www.hca.wa.gov/about-hca/rulemaking.

June 14, 2019
Wendy Barcus
Rules Coordinator

WSR 19-13-066

**PREPROPOSAL STATEMENT OF INQUIRY
PARAEDUCATOR BOARD**

[Filed June 17, 2019, 8:05 a.m.]

Subject of Possible Rule Making: Paraeducator requirements.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 28A.413 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The paraeducator board is tasked with oversight and regulation of rules regarding educator preparation and certification. The paraeducator board regularly engages with stakeholders and content experts regarding its work and the regulations surrounding it. Potential changes in these rules may address issues identified by the board or impacted stakeholders.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Rules Coordinator, 600 Washington Street S.E., Room 400, email rulespesb@k12.wa.us, web site pesb.wa.gov.

June 14, 2019
Justin Montermini
Rules Coordinator

WSR 19-13-068

**PREPROPOSAL STATEMENT OF INQUIRY
PROFESSIONAL EDUCATOR
STANDARDS BOARD**

[Filed June 17, 2019, 8:05 a.m.]

Subject of Possible Rule Making: Educator certificate renewal.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 28A.410 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The professional educator standards board (PESB) is tasked with oversight and regulation of rules regarding educator preparation and certification. PESB regularly engages with stakeholders and content experts regarding our work and the regulations surrounding it. Potential changes in these rules may address issues identified by the board or impacted stakeholders.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Rules Coordinator, 600 Washington Street S.E., Room 400, email rulespesb@k12.wa.us, web site pesb.wa.gov.

June 14, 2019
Justin Montermini
Rules Coordinator

WSR 19-13-067

**PREPROPOSAL STATEMENT OF INQUIRY
PARAEDUCATOR BOARD**

[Filed June 17, 2019, 8:05 a.m.]

Subject of Possible Rule Making: Paraeducator standards.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 28A.413 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The paraeducator board is tasked with oversight and regulation of rules regarding educator preparation and certification. The paraeducator board regularly engages with stakeholders and content experts regarding its work and the regulations surrounding it. Potential changes in these rules may address issues identified by the board or impacted stakeholders.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Rules Coordinator, 600 Washington Street S.E., Room 400, email rulespesb@k12.wa.us, web site pesb.wa.gov.

June 14, 2019
Justin Montermini
Rules Coordinator

WSR 19-13-069

**PREPROPOSAL STATEMENT OF INQUIRY
PARAEDUCATOR BOARD**

[Filed June 17, 2019, 8:05 a.m.]

Subject of Possible Rule Making: Paraeducator certificates.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 28A.413 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The paraeducator board is tasked with oversight and regulation of rules regarding educator preparation and certification. The paraeducator board regularly engages with stakeholders and content experts regarding its work and the regulations surrounding it. Potential changes in these rules may address issues identified by the board or impacted stakeholders.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Rules Coordinator, 600 Washington Street S.E., Room 400, email rulespesb@k12.wa.us, web site pesb.wa.gov.

June 14, 2019
Justin Montermini
Rules Coordinator

WSR 19-13-070**PREPROPOSAL STATEMENT OF INQUIRY
PROFESSIONAL EDUCATOR
STANDARDS BOARD**

[Filed June 17, 2019, 8:05 a.m.]

Subject of Possible Rule Making: Educator preparation.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 28A.410 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The professional educator standards board (PESB) is tasked with oversight and regulation of rules regarding educator preparation and certification. PESB regularly engages with stakeholders and content experts regarding our work and the regulations surrounding it. Potential changes in these rules may address issues identified by the board or impacted stakeholders.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Rules Coordinator, 600 Washington Street S.E., Room 400, email rulespesb@k12.wa.us, web site pesb.wa.gov.

June 14, 2019
Justin Montermini
Rules Coordinator

WSR 19-13-072**PREPROPOSAL STATEMENT OF INQUIRY
PROFESSIONAL EDUCATOR
STANDARDS BOARD**

[Filed June 17, 2019, 8:05 a.m.]

Subject of Possible Rule Making: Educator certification.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 28A.410 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The professional educator standards board is tasked with oversight and regulation of rules regarding teacher preparation and certification. Potential changes in these rules may address issues identified by the board or impacted stakeholders.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Rules Coordinator, 600 Washington Street S.E., Room 400, phone 360-725-6275, email rulespesb@k12.wa.us, web site pesb.wa.gov.

June 14, 2019
Justin Montermini
Rules Coordinator

WSR 19-13-077**PREPROPOSAL STATEMENT OF INQUIRY
OFFICE OF THE
INSURANCE COMMISSIONER**

[Insurance Commissioner Matter R 2019-04—Filed June 17, 2019, 1:31 p.m.]

Subject of Possible Rule Making: Implementation of 2SHB 1065 (chapter 427, Laws of 2019), Balance Billing Protection Act.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Sections 10, 15 and 30, chapter 427, Laws of 2019.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The Balance Billing Protection Act establishes new requirements applicable to health carriers, hospitals, ambulatory surgical facilities, laboratories and several types of health care providers health care coverage or services in Washington state. Rules may be needed to define implementation processes and clarify terms related to several components of the new law. Such rules will facilitate implementation of the law by ensuring that all affected entities understand their rights and obligations under the law.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Washington state department of health (DOH) and the office of the insurance commissioner (OIC) share responsibility for enforcement of violations of the balance billing prohibition. OIC has been, and will continue to coordinate with DOH on implementation of these provisions. DOH will participate in any OIC rule making related to enforcement.

Process for Developing New Rule: Comments due by July 19, 2019.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jane Beyer, P.O. Box 40260, Olympia, WA 98504-0260, phone 360-725-7043, fax 360-586-3109, TTY 360-586-0241, email rulescoordinator@oic.wa.gov, web site www.insurance.wa.gov.

June 19, 2019
Mike Kreidler
Insurance Commissioner

WSR 19-13-085**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES**

[Filed June 18, 2019, 10:04 a.m.]

Subject of Possible Rule Making: 2020 industrial insurance premium rates, chapter 296-17 WAC, General reporting rules, audit and recordkeeping, rates and rating system for Washington workers' compensation insurance and chapter 296-17B WAC, Retrospective rating for workers' compensation insurance.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 51.16.035, 51.04.020(1), and 51.18.010.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The Department of labor and industries (L&I) is required by law to establish and maintain

a workers' compensation classification plan, and to set premium rates that are: (1) The lowest necessary to maintain actuarial solvency of the accident and medical aid funds; and (2) designed to attempt to limit fluctuations in premium rates. The plan must be consistent with recognized principles of insurance. L&I is also required by law to offer retrospective rating plans to employers as a further incentive to encourage workplace safety and prevent employee injury.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other state, local, or federal agency regulates this subject.

Process for Developing New Rule: Premium rates for each classification are developed in part from the past loss experience of employers subject to the classification, changes in benefit levels mandated by law or court decisions, medical inflation, economic and business trends and financial markets. L&I works with the workers' compensation advisory committee (WCAC) and retrospective rating advisory committee (RAC) as changes are developed. The public can participate in these discussions by attending the WCAC meetings. A schedule of these meetings is available at www.lni.wa.gov/ClaimsIns/Insurance/Learn/Wcac/WcacMtgMin/Default.asp.

The public can also participate in discussions of RAC. A schedule of these meetings can be found at www.lni.wa.gov/ClaimsIns/Insurance/Reduce/Qualify/AdvComm/default.asp.

Employers covered by L&I will receive notice of the proposed changes and public hearings.

L&I is planning to hold formal public hearings in October and November 2019, in Spokane, Tukwila, and Tumwater.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jo Anne Attwood, P.O. Box 44148, Olympia, WA 98504-4148, phone 360-902-4777, fax 360-902-4988, TTY 360-902-5797, email JoAnne.Attwood@Lni.wa.gov, web site www.lni.wa.gov.

June 18, 2019

Joel Sacks
Director

WSR 19-13-086
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed June 18, 2019, 10:17 a.m.]

The department of labor and industries is withdrawing the preproposal statement of inquiry for rule making regarding factory-built housing and commercial structures (chapter 296-150F WAC), WSR 19-06-069 filed on March 5, 2019.

The department will be initiating a separate rule making which will expand the scope of the rule making to include implementation of new legislation.

If you have any questions, please contact Maggie Leland, rules coordinator, at 360-902-4504.

Maggie A. Leland
Rules Coordinator

WSR 19-13-089

PREPROPOSAL STATEMENT OF INQUIRY
WENATCHEE VALLEY COLLEGE

[Filed June 18, 2019, 2:27 p.m.]

Subject of Possible Rule Making: WAC 132W-112-100 update WAC to reflect recent college policy changes concerning facilities use for expressive activity.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 27B.50.140(13) [28B.50.140(13)].

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Chapter 132W-112 WAC is in need of updating to further balance the college's responsibility to fulfill its mission as a state educational institution of Washington with the interests of college groups seeking to assemble in common areas of the campus for expressive activity.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Reagan Bellamy, 1300 Fifth Street, phone 509-682-6445, email rbellamy@wvc.edu.

June 18, 2019

Jim Richardson
President

WSR 19-13-090

PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY

[Filed June 18, 2019, 2:31 p.m.]

Subject of Possible Rule Making: Chapters 182-538, 182-538A, 182-538B, 182-538C, 182-538D WAC; and other related rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021, 41.05.160; E2SSB 5432, 66th legislature, 2019 regular session; 2SSB 6312, 63rd legislature, 2104 [2014] regular session.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule making is required to implement E2SSB 5432 which directs the agency to fully implement behavioral health integration for January 1, 2020, by: (1) Removing behavioral health organizations from law; (2) clarifying the roles and responsibilities among the health care authority, the department of social and health services, and the department of health; and (3) clarifying the roles and responsibilities of behavioral health administrative services organizations and the medicaid managed care organizations; and (4) making technical corrections related to the behavioral health system.

This rule making is also needed to implement 2SSB 6312 concerning state purchasing of mental health and chemical dependency treatment services and the full integration of medical and behavioral health services by January 1, 2020.

During the course of this review, the agency may identify additional changes that are required in order to improve clarity or update policy.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Washington state department of health, Washington state department of social and health services.

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Amy Emerson, P.O. Box 42716, Olympia, WA 98504-2716, phone 360-725-1348, fax 360-586-9727, telecommunication relay services 711, email amy.emerson@hca.wa.gov, web site www.hca.wa.gov/about-hca/rulemaking.

June 18, 2019
Wendy Barcus
Rules Coordinator

WSR 19-13-096
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FISH AND WILDLIFE

[Filed June 19, 2019, 8:32 a.m.]

Subject of Possible Rule Making: The department is considering rule changes for spring black bear hunting seasons and regulations.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.04.012, 77.04.055, 77.12.020, and 77.12.-047.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Update season dates and permit numbers.

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

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Eric Gardner, 1111 Washington Street, Olympia, WA 98501, phone 360-902-2515, fax 360-902-2162, email wildthing@dfw.wa.gov, web site wdfw.wa.gov.

June 19, 2019
Scott Bird
Rules Coordinator

WSR 19-13-098
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)

[Filed June 19, 2019, 8:47 a.m.]

Subject of Possible Rule Making: The department is planning to amend WAC 388-478-0027 What are the payment standards for pregnant women assistance?, and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.005, 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.08.090, 74.08A.100, 74.04.770, 74.04.0052, 74.04.655, 74.08.043, 74.08.335.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Changes to WAC 388-478-0027 are necessary to increase the payment standard for the pregnant women assistance program based on the 2019-21 operating budget, effective July 1, 2019.

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

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Nicholas Swiatkowski, P.O. Box 45470, Olympia, WA 98504-5470, phone 360-725-4638, fax 360-725-4904, email nicholas.swiatkowski@dshs.wa.gov.

June 18, 2019
Katherine I. Vasquez
Rules Coordinator

WSR 19-13-099
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)

[Filed June 19, 2019, 9:01 a.m.]

Subject of Possible Rule Making: The department is planning to amend WAC 388-482-0005 How does being a student of higher education impact my eligibility for Washington basic food program?, and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.500, 74.04.510, 74.08A.120.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is planning to amend WAC 388-482-0005 to implement recent changes

to state law per chapter 407, Laws of 2019 (passed as 2SHB 1893).

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Department of Agriculture, Food and Nutrition Service enforces the provisions of the federal Supplemental Nutrition Assistance Program. The department amends its rules to ensure that they are consistent with federal statutes, regulations, and guidance. Where appropriate, the department may seek waivers of federal requirements.

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Ivette Dones-Figueroa, Program Manager, Economic Services Administration, Community Services Division, P.O. Box 45470, Olympia, WA 98504-5470, phone 360-725-4651, fax 360-725-4904, email donesim@dshs.wa.gov.

June 18, 2019
Katherine I. Vasquez
Rules Coordinator

WSR 19-13-102
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)

[Filed June 19, 2019, 9:20 a.m.]

Subject of Possible Rule Making: The department is planning to amend WAC 388-478-0015 Need standards for cash assistance, and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.770, 74.08.090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: RCW 74.04.770 requires the department to establish standards of need for cash assistance programs on an annual basis.

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

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Sarah Garcia, P.O. Box 45470, Olympia, WA 98504-5470, phone 360-725-4949, fax 360-725-4905, email roddisl@dshs.wa.gov.

June 18, 2019
Katherine I. Vasquez
Rules Coordinator

WSR 19-13-106
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH
(Board of Nursing Home Administrators)

[Filed June 19, 2019, 11:04 a.m.]

Subject of Possible Rule Making: WAC 246-843-XXX Temporary practice permit—Military spouse and state-registered domestic partner eligibility and issuance, the board of nursing home administrators (board) is considering adding a new section to provide for temporary practice permits to be issued to military spouses or state-registered domestic partners who hold an out-of-state credential as a nursing home administrator.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.52.061 and chapter 18.340 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Chapter 18.340 RCW provides that military spouses may receive a temporary practice permit while completing any specific additional credential application requirements in Washington that are not related to a profession's training or practice standard. This may include federal background checks for applicants who apply for endorsement from another state. RCW 1.12.080 requires that the interpretation of the term "spouse" be applied equally to state-registered domestic partners. The board is considering adoption of rules to establish a process and requirements to allow military spouses and domestic partners to obtain the temporary practice permit.

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

Process for Developing New Rule: Collaborative.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Kendra Pitzler, P.O. Box 47852, Olympia, WA 98504-7852, phone 360-236-4723, fax 360-236-2901, TTY 360-833-6388 or 711, email kendra.pitzler@doh.wa.gov.

Additional comments: Interested parties will be notified of opportunities to participate in the decision to adopt new rules by joining the interested parties list. The link can be found at <https://www.doh.wa.gov/LicensesPermitsandCertificates/ProfessionsNewReneworUpdate/NursingHomeAdministrator/RulesInProgress>.

June 19, 2019
U. James Chaney, MPA, MA, BA
Executive Director