

WSR 20-12-001**PREPROPOSAL STATEMENT OF INQUIRY
WASHINGTON STATE PATROL**

[Filed May 20, 2020, 12:47 p.m.]

Subject of Possible Rule Making: WAC 446-65-010, Commercial motor vehicle regulations—Transportation requirements.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.32.020 and 46.48.170.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The purpose is to ensure that Washington state will abide by the same rules as interstate vehicles with the same gross vehicle weight rating and ensuring unsafe drivers are removed from the roadways.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Federal Motor Carrier Safety Administration, Washington state utilities and transportation commission, and Washington state department of transportation.

Process for Developing New Rule: The Washington state patrol (WSP) welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, WSP will file a Proposed rule making (CR-102) with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent 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 Kimberly Mathis, Agency Rules Coordinator, 106 11th Avenue S.W., Olympia, WA, phone 360-596-4017, email wsprules@wsp.wa.gov, website www.wsp.wa.gov/rules-development; or CVEO 4 Jonas Mast, 106 11th Avenue S.W., Olympia, WA, email jonas.mast@wsp.wa.gov.

May 20, 2020
John R. Batiste
Chief

WSR 20-12-007**PREPROPOSAL STATEMENT OF INQUIRY
GAMBLING COMMISSION**

[Filed May 21, 2020, 2:32 p.m.]

Subject of Possible Rule Making: The gambling commission is considering amending its amusement game rules to change the square footage or size requirements for grocery or department store locations.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 9.46.070.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Under current rules, a grocery or department store must have more than ten thousand square feet of retail and support space, not including the parking areas, to operate amusement games. The gambling commission received a petition asking to remove this requirement. The petition was accepted but with the purpose of allowing amusement game operators to place games in smaller-sized grocery stores.

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

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Ashlie Laydon, P.O. Box 42400, Olympia, WA 98504-2400, phone 360-486-3473, fax 360-486-3632, TTY 360-486-3637, email rules.coordinator@wsgc.wa.gov, website www.wsgc.wa.gov.

May 18, 2020
Ashlie Laydon
Rules Coordinator

WSR 20-12-016**PREPROPOSAL STATEMENT OF INQUIRY
COLUMBIA BASIN COLLEGE**

[Filed May 26, 2020, 9:19 a.m.]

Subject of Possible Rule Making: Columbia Basin College is proposing repealing chapter 132S-09 WAC, Nondiscrimination and harassment policy and grievance procedure; and amending chapter 132S-100 WAC, Student code of conduct; and chapter 132S-300 WAC, Campus parking and traffic regulations. Additionally, the college is proposing amending various sections of the college's rules to address gender-specific references with replacement throughout with gender-neutral alternatives.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Proposed rule making is needed to provide clarity to the processes for the student conduct code. Other amendments are needed to established [establish] rules for parking and traffic regulations, along with minimal amendments to various sections to eliminate gender-specific references with gender-neutral alternatives. The nondiscrimination and harassment policy and grievance procedure is proposed for repeal on the basis it is captured in a college operations policy and is subject to regular updates based on the department of education requirements with the college's formulation of policies process more suitable for those changes.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Not applicable.

Process for Developing New Rule: Normal rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Camilla Glatt, 2600 North 20th Avenue, Pasco, WA 99301, phone 509-542-5548, fax 509-544-2029, TTY 800-833-6364, email cglatt@columbiabasin.edu, website www.columbiabasin.edu.

May 26, 2020
Camilla Glatt
Vice President for Human
Resources and Legal Affairs

WSR 20-12-020**PREPROPOSAL STATEMENT OF INQUIRY
STATE BOARD OF EDUCATION**

[Filed May 26, 2020, 10:48 p.m.]

Subject of Possible Rule Making: The purpose of this rule making on chapters 180-51, 180-90, and 180-111 WAC is to establish an emergency waiver program to grant local education agencies and private schools flexibility in credit graduation requirements for the graduating class of 2020 in response to the novel coronavirus (COVID-19). The rule making would also allow flexibility from instructional hour or school day requirements for private schools for the 2019-20 school year. If the state board of education is granted further authorities by the legislature to create a waiver program for novel coronavirus (COVID-19) for the 2020-21 school year or to respond to emergencies of various types including epidemics, the purpose of this rule making will also include establishment of a waiver program for providing flexibility during the closure of local educational agencies. The purpose includes a provision in WAC 180-90-114 to allow private schools to operate online programs without use of physical buildings if the emergency situation continues into the 2020-21 school year.

The purpose may include changes as necessary to align rule to current policy or practice, correct references to law, implement recently passed legislation, improve readability of the rule, or make other changes identified during the review.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Sections 10 through 12, chapter 7, Laws of 2020 (EHB 2965); RCW 28A.195.010.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule making is in response to the school closures due to the novel coronavirus (COVID-19). This waiver program is to grant local education agencies and private schools flexibility on credit graduation requirements for the graduating class of 2020. The rule making would also allow flexibility from instructional hour or school day requirements for private schools for the 2019-20 school year. The rule will also allow private schools to conduct online programs without use of a physical building if the emergency situation continues into the 2020-21 school year.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Office of superintendent of public instruction, charter school commission.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Parker Teed, 600 Washington Street S.E., Olympia, WA 98504, phone 360-725-6047, fax 360-753-6712, email parker.teed@k12.wa.us, website www.sbe.wa.gov.

May 26, 2020
Randy Spaulding
Executive Director

WSR 20-12-031**PREPROPOSAL STATEMENT OF INQUIRY
OFFICE OF THE
INSURANCE COMMISSIONER**

[Insurance Commissioner Matter R 2020-04—Filed May 27, 2020, 11:43 a.m.]

Subject of Possible Rule Making: Health care benefit managers.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.02.060; and chapter 240, Laws of 2020 (2SSB 5601).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Amend existing rules and add new sections necessary to implement chapter 240, Laws of 2020, requiring registration of health care benefit managers and related filings.

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

Process for Developing New Rule: Submit comments by July 1, 2020.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Mandy Weeks-Green, P.O. Box 40260, Olympia, WA 98504-2060, phone 360-725-7041, fax 360-586-3109, TTY 360-586-0241, email rulescoordinator@oic.wa.gov, website www.insurance.wa.gov.

May 27, 2020
Mike Kreidler
Insurance Commissioner

WSR 20-12-032**PREPROPOSAL STATEMENT OF INQUIRY
OFFICE OF THE
INSURANCE COMMISSIONER**

[Insurance Commissioner Matter R 2020-05—Filed May 27, 2020, 11:43 a.m.]

Subject of Possible Rule Making: Amend WAC 284-07-310 through 284-07-400, the actuarial opinion and memorandum regulation.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.02.060, 48.74.025, 48.74.028, 48.74.100, 48.36A.250, 48.36A.260.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The commissioner is considering amending the actuarial opinion and memorandum regulation to more clearly align with chapter 48.74 RCW and industry standards.

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

Process for Developing New Rule: Submit written comments by July 15, 2020.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting David Forte, 302 Sid Snyder Avenue S.W., Olympia, WA 98504, phone 360-725-7042, fax 360-

586-3109, TTY 360-586-0241, email rulescoordinator@oic.wa.gov, website www.insurance.wa.gov.

May 27, 2020
Mike Kreidler
Insurance Commissioner

May 27, 2020
Mike Kreidler
Insurance Commissioner

WSR 20-12-033
PREPROPOSAL STATEMENT OF INQUIRY
OFFICE OF THE
INSURANCE COMMISSIONER

[Insurance Commissioner Matter R 2020-06—Filed May 27, 2020, 11:43 a.m.]

Subject of Possible Rule Making: Implementation of SHB 2338 (chapter 228, Laws of 2020), prohibiting discrimination in health care coverage.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.02.060, 48.20.460, 48.43.0128, 48.44.050, 48.46.200.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The provisions of SHB 2338 amend Washington state's mental health parity law. Rules adopted to implement the original mental health parity law need to be amended to be consistent with the provisions of SHB 2338.

The standard for rule making with respect to section 9 of the law, which addresses protection from discrimination in health plans, is as follows:

Unless preempted by federal law, the commissioner shall adopt any rules necessary to implement this section, consistent with federal rules and guidance in effect on January 1, 2017, implementing the patient protection and affordable care act.

Existing rules adopted to implement RCW 48.43.0128 will need to be amended to be consistent with SHB 2338, and new rules may be required. Such rules will facilitate implementation of the law by ensuring that all affected entities understand their rights and obligations under the new law.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The federal HHS Centers for Medicare and Medicaid Services and the Department of Labor are the federal agencies tasked with implementation of the Mental Health Parity and Addiction Equity Act (MHPAEA). State insurance regulators also have authority to enforce MHPAEA, as well as to enact and implement their own mental health parity laws, as Washington state has done. These federal agencies will have an opportunity to participate in this rule-making proceeding.

Process for Developing New Rule: Comments due by June 17, 2020.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jane Beyer, 302 Sid Snyder Avenue S.W., Olympia, WA 98504, phone 360-725-7043, fax 360-586-3109, TTY 360-586-0241, email rulescoordinator@oic.wa.gov, website www.insurance.wa.gov.

WSR 20-12-050
PREPROPOSAL STATEMENT OF INQUIRY
PROFESSIONAL EDUCATOR
STANDARDS BOARD

[Filed May 29, 2020, 8:26 a.m.]

Subject of Possible Rule Making: Title 181 WAC.

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: Address issues from the field and develop a coherent policy around educator credentialing.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Not applicable.

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 Maren Johnson, 600 Washington Street S.E., Olympia, WA 98504, phone 360-725-6264, email maren.johnson@k12.wa.us, website www.pesb.wa.gov.

May 26, 2020
Maren Johnson
Rules Coordinator

WSR 20-12-052
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FISH AND WILDLIFE

[Filed May 29, 2020, 11:51 a.m.]

Subject of Possible Rule Making: The department is considering amendments to hydraulic code rules, chapter 220-660 WAC, necessary to implement ESHB 1261 (chapter 10, Laws of 2020), which become effective on June 11, 2020.

Rule sections requiring amendment include WAC 220-660-050 [220-660-030] Definitions, 220-660-050 Procedures—Hydraulic project approvals, 220-660-300 Mineral prospecting, and 220-660-305 Suction dredging.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.04.012, 77.12.047, and 77.55.021; ESHB 1261 (chapter 10, Laws of 2020).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rule amendments are needed to implement elements in sections 3 and 4 of ESHB 1261 to update the definition of small scale prospecting and mining, add a definition for motorized or gravity siphon aquatic mining, specify that an individual hydraulic project approval (HPA) permit is required to conduct motorized or gravity siphon aquatic mining, remove references to motorized or gravity siphon aquatic mining from the Gold and Fish pam-

phlet, and require proof of compliance with the federal Clean Water Act for said activity when applying for an HPA.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Washington department of fish and wildlife (WDFW) is the sole authority regulating hydraulic projects under chapter 77.55 RCW, and the only state agency that regulates hydraulic projects solely for the protection of all fish life. The United States Army Corps of Engineers, Washington department of ecology, Washington department of natural resources, Washington state parks, and local governments also regulate certain aspects of hydraulic projects under their own authorities. The National Marine Fisheries Service and United States Fish and Wildlife Service regulate the "take" of threatened or endangered species listed under the federal Endangered Species Act. Tribes regulate fisheries and certain aspects of construction projects on tribal lands. State, federal, and local government entities will be invited to comment on draft rules during the rule-making process. WDFW will conduct government-to-government consultation with tribes.

Process for Developing New Rule: Changes to chapter 77.55 RCW made in ESHB 1261 compel associated changes to the implementing hydraulic code rules in chapter 220-660 WAC.

The standard process for the adoption of administrative rules under the Administrative Procedures [Procedure] Act (chapter 34.05 RCW) and the applicable provisions for significant legislative rules (RCW 34.05.328) is the most appropriate process for this hydraulic code rule making. Negotiated rule making is not practicable because rule language will largely mirror statute language, which reflects collaboration during the legislative session, and because negotiated rule making would increase the time needed and the cost of rule making without added benefit. Pilot rule making is not applicable because the statutory changes, and therefore the proposed amendments, apply statewide.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Randi Thurston, P.O. Box 43200, Olympia, WA 98504-3200, phone 360-902-2602, fax 360-902-2946, TTY 360-902-2207, email HPARules@dfw.wa.gov, website <https://wdfw.wa.gov/licenses/environmental/hpa/rulemaking>.

May 29, 2020
Michele K. Culver
Rules Coordinator

WSR 20-12-066

PREPROPOSAL STATEMENT OF INQUIRY PROFESSIONAL EDUCATOR STANDARDS BOARD

[Filed June 1, 2020, 9:09 a.m.]

Subject of Possible Rule Making: Chapter 181-78A WAC.

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: Include career and technical education (CTE) B&I and CTE administrator programs in WAC on professional education advisory board.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Not applicable.

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 Maren Johnson, 600 Washington Street S.E., Olympia, WA 98504, phone 360-725-6264, email maren.johnson@k12.wa.us, website www.pesb.wa.gov.

May 29, 2020
Maren Johnson
Rules Coordinator

WSR 20-12-083

PREPROPOSAL STATEMENT OF INQUIRY OFFICE OF THE INSURANCE COMMISSIONER

[Insurance Commissioner Matter R 2020-07—Filed June 2, 2020, 8:01 a.m.]

Subject of Possible Rule Making: Continued implementation of chapter 427, Laws of 2019, Balance Billing Protection Act.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.49.060, 48.49.110, 48.43.730.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The Balance Billing Protection Act established new requirements applicable to health carriers, hospitals, ambulatory surgical facilities, laboratories and several types of health care providers that offer health care coverage or services in Washington state. An initial set of rules were effective in December 2019, prior to the new law going into effect. Due to implementation experience to date, revisions to the rules are needed to refine 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 closely coordinated with DOH on implementation of these provisions and will continue to do so through this rule-making proceeding.

Process for Developing New Rule: Comments due June 17, 2020.

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,
website www.insurance.wa.gov.

June 2, 2020
Mike Kreidler
Insurance Commissioner

WSR 20-12-084
PREPROPOSAL STATEMENT OF INQUIRY
OFFICE OF THE
INSURANCE COMMISSIONER

[Insurance Commissioner Matter R 2020-08—Filed June 2, 2020, 8:12
a.m.]

Subject of Possible Rule Making: Change of insurance, offset of expenses of group policy holder (SHB 1075).

Statutes Authorizing the Agency to Adopt Rules on this Subject: SHB 1075 (chapter 253, Laws of 2019, effective date July 1, 2020) and RCW 48.02.060.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The legislature passed SHB 1075 during the 2019 legislative session. The bill establishes that the insurance code's prohibition on offering rebates or inducements does not prohibit an insurer from issuing payment to offset documented expenses incurred by a group policy holder in changing coverage from one insurer to another or for implementing new insurance coverage. Based on the legislation, the OIC needs to develop rules to provide guidance for companies to use and apply implementation credits.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Not applicable.

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, 302 Sid Snyder Avenue S.W., Olympia, WA 98504, phone 360-725-77169 [7169], fax 360-586-3109, TTY 360-586-0241, email rulescoordinator@oic.wa.gov, website www.insurance.wa.gov.

June 2, 2020
Mike Kreidler
Insurance Commissioner

WSR 20-12-085
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LICENSING

[Filed June 2, 2020, 8:28 a.m.]

Subject of Possible Rule Making: Chapter 308-20 WAC, Cosmetology, barber, manicurist, esthetician rules.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapters 18.16 and 43.24 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Amending rules to provide schools and apprentice shops flexibility in online training.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Not applicable.

Process for Developing New Rule: Parties interested in the formulation of these rules for proposal may contact the program listed below. The public may also participate by commenting after amendments are proposed by providing written comments or giving oral testimony during the public hearing process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Cosmetology Program, P.O. Box 9026, Olympia, WA 98507, phone 360-664-6626, fax 360-664-2550, TTY 711, email plssunit@dol.wa.gov, website www.dol.wa.gov.

June 2, 2020
Damon Monroe
Rules Coordinator

WSR 20-12-087
PREPROPOSAL STATEMENT OF INQUIRY
OFFICE OF THE
INSURANCE COMMISSIONER

[Insurance Commissioner Matter R 2020-09—Filed June 2, 2020, 9:08
a.m.]

Subject of Possible Rule Making: Life insurance, behavioral change incentives (SSB 6052).

Statutes Authorizing the Agency to Adopt Rules on this Subject: SSB 6052 (chapter 197, Laws of 2020, effective date July 1, 2020); RCW 48.02.060, 48.30.010.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The legislature passed SSB 6052 during the 2020 legislative session. The bill exempts life insurers offering products or services that are intended to incentivize behavioral changes from other insurance rebating and inducement statutes in Title 48 RCW. Based on the legislation, the office of the insurance commissioner needs to develop rules to establish standards for ensuring that incentives are directed to sharing the benefit of improving risk experience, minimum product or service standards to protect policy holder privacy rights and safeguard consumer protection in the administration of these products and services.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Not applicable.

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, 302 Sid Snyder Avenue S.W., Olympia, WA 98504, phone 360-725-77169 [7169], fax 360-586-3109, TTY 360-586-0241, email rulescoordinator@oic.wa.gov, website www.insurance.wa.gov.

June 2, 2020
Mike Kreidler
Insurance Commissioner

WSR 20-12-089

**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)**

[Filed June 2, 2020, 10:21 a.m.]

Subject of Possible Rule Making: The department is planning to amend WAC 388-458-0011 DSHS sends you a denial letter when you can't get benefits, 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, 74.08.090, 74.04.510.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Planned amendments to WAC 388-485-0011 will align rule language with that of current federal regulation.

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

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

The department of social and health services (DSHS) incorporates regulations from the federal agencies, exercises state options, and implements approved waivers of federal regulatory requirements by adopting administrative rules for food assistance programs administered under the Washington Basic Food program.

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting 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 1, 2020
Katherine I. Vasquez
Rules Coordinator

WSR 20-12-090

**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)**

[Filed June 2, 2020, 10:24 a.m.]

Subject of Possible Rule Making: The department is planning to amend WAC 388-418-0011 What is a mid-certification review, and do I have to complete one in order to keep receiving benefits?, 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, 74.08.090, 74.04.510.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Amendments planned under this filing will eliminate the mid-certification review (MCR) requirement for aged, blind, or disabled (ABD) program recipients who are age sixty-five or older, as provided in the 2020 supplemental operating budget (ESSB 6168, chapter 357, Laws of 2020).

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 Daisha Gomillion, P.O. Box 45470, Olympia, WA 98504-5470, phone 360-725-4781, fax 360-725-4904, email daisha.gomillion@dshs.wa.gov.

June 1, 2020
Katherine I. Vasquez
Rules Coordinator

WSR 20-12-094

**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)**

[Filed June 2, 2020, 1:52 p.m.]

Subject of Possible Rule Making: The department is planning to amend WAC 388-310-0800 WorkFirst—Support services, 388-310-1000 WorkFirst—Vocational education, 388-310-1050 WorkFirst—Skills enhancement training, 388-310-1700 WorkFirst—Self-employment, 388-310-1800 WorkFirst—Post employment services, 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, 74.04.500, 74.04.510, 74.08.025, 74.08.090, 74.08A.120, 74.08A.250.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Planned amendments will correct outdated cross references to working connections and seasonal child care subsidy program rules resulting from the department of early learning (DEL) reorganization into the department of children, youth and families (DCYF). References to chapter 170-290 WAC will be replaced with references to chapter 110-15 WAC, consistent with recodification of these rules under WSR 18-14-078.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: DCYF administers the working connections and seasonal child care subsidy programs. DSHS continues to consult and partner closely with DCYF to serve our mutual customers.

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 Olga Walker, P.O. Box 45470, Olympia, WA 98504-5470, phone 360-725-4641, fax 360-725-4904, email olga.walker@dshs.wa.gov.

June 2, 2020
Katherine I. Vasquez
Rules Coordinator

WSR 20-12-095
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
[Filed June 2, 2020, 3:35 p.m.]

Subject of Possible Rule Making: The department is planning to amend WAC 388-482-0005 How does being a student of higher education affect 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 43.20A.760, 74.04.500, 74.04.510, 74.08A.120.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Amendments planned under this filing will more accurately align rule language with that of federal regulations related to Supplemental Nutrition Assistance Program (SNAP) student status.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Department of Agriculture, Food and

Nutrition Service (FNS) enforces the provisions of the federal Supplemental Nutrition Assistance Program (SNAP) as enacted in the 2008 Food and Nutrition Act and codified in the Code of Federal Regulations. The department will amend rules that are consistent with the act, federal regulations, and FNS administrative notices and formal guidance.

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

The department of social and health services (DSHS) incorporates regulations from the federal agencies, exercises state options, and implements approved waivers of federal regulatory requirements by adopting administrative rules for food assistance programs administered under the Washington Basic Food program.

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting 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 2, 2020
Katherine I. Vasquez
Rules Coordinator

WSR 20-12-096
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Developmental Disabilities Administration)
[Filed June 2, 2020, 5:11 p.m.]

Subject of Possible Rule Making: The department is planning to amend WAC 388-101D-0125, 388-101D-0130, 388-101D-0695, 388-823-1095, 388-829A-130, 388-829C-100, and other related rules as may be required.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The developmental disabilities administration (DDA) is planning to amend these rules to implement SSHB [2SHB] 1651 (2019), which is related to the rights of clients of the DDA. During the course of this review, the department may make additional changes that are necessary to improve clarity or update policy.

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

Process for Developing New Rule: 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 Chantelle Diaz, DDA, P.O. Box 45310, Olympia, WA 98504-5310, phone 360-407-1589, fax 360-407-0955, TTY 1-800-833-6388, email Chantelle.Diaz@dshs.wa.gov.

June 2, 2020
Katherine I. Vasquez
Rules Coordinator

902-4988, TTY 360-902-5797, email JoAnne.Attwood@Lni.wa.gov, website www.lni.wa.gov/rulemaking-activity/?query=premium.

June 3, 2020
Joel Sacks
Director

WSR 20-12-105
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed June 3, 2020, 9:47 a.m.]

Subject of Possible Rule Making: Fulfillment [Fulfillment] center classification, chapter 296-17 WAC, General reporting rules, audit and recordkeeping, rates and rating system for Washington workers' compensation insurance; and chapter 296-17A WAC, Classifications for Washington workers' compensation insurance.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: RCW 51.16.035 requires the department to classify all occupations or industries by degree of hazard. The department began researching and evaluating the operations of fulfillment centers currently classified in Classification 2102 Warehouse General Merchandise. We discovered, after evaluating expected losses and some unique operations of fulfillment centers, that possible classification changes may be required to ensure these operations are still being classified by their degree of hazard to ensure fair rates in the industry. We are considering creating a new risk classification for fulfillment centers.

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: Agency study.

The department will provide outreach to firms with Classification 2102 Warehouse General Merchandise and discuss potential future changes, taking their input and recommendations into consideration. Impacted employers will receive notice of the proposed changes and public hearings.

The department of labor and industries is planning to hold a formal public hearing in October 2020 in 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-