

WSR 22-03-048

AGENDA

DEPARTMENT OF HEALTH
STATE BOARD OF HEALTH

[Filed January 12, 2022, 3:03 p.m.]

January 2022
Rules Agenda

This report details current and anticipated rule-making activities for the department of health (DOH) and the state board of health (SBOH). If you have any questions regarding this report or DOH rule-making activities, please contact Tami Thompson at 360-628-0096. If you have any questions regarding SBOH rule-making activities, please contact Michelle Davis at 360-236-4105.

This agenda is for information purposes, and the anticipated rule-making actions are estimates. Any errors in this agenda do not affect the rules and rule-making notices filed with the office of the code reviser and published in the Washington State Register. There may be additional rule-making activities that cannot be forecasted as DOH and SBOH initiates rule making to implement new state laws, meet federal requirements, or meet unforeseen circumstances. See the "Key" below for explanations of terms and acronyms.

KEY:

Blank cells in tables mean the anticipated filing date is not known at the time this rules agenda is filed.

CR: "Code Reviser" on the notice forms created by the office of the code reviser for use by all state agencies.

CR-101: Preproposal statement of inquiry filed under RCW 34.05.310.

CR-102: Proposed rule-making notice filed under RCW 34.05.320 or 34.05.340.

CR-103: Rule-making order permanently adopting a rule and filed under RCW 34.05.360 and 34.05.380.

CR-105: Expedited rule making filed under RCW 34.05.353.

RCW: Revised Code of Washington.

WAC: Washington Administrative Code.

WSR: Washington State Register official filing reference number given by the office of the code reviser when a notice is filed.

State Board of Health
Rule Making

| Authority | RCW or Session Law | WAC and Rule Title | CR-101 WSR# | CR-102 WSR# | CR-103 WSR# | CR-105 WSR# | Program Contact Name | Program Contact Phone |
|-----------|---------------------------|---|-------------|-------------------|-------------|-------------|--------------------------------------|------------------------------|
| SBOH | Chapter 205, Laws of 2021 | Chapter 246-90 WAC, Local board of health membership. | 21-13-024 | Anticipate filing | | | Samantha Pskowski or Kaitlyn Donahoe | 360-789-2358 or 360-584-6737 |

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|-----------|-----------------------------|---|-------------|-------------------|-------------------|-------------|-------------------------------------|------------------------------|
| SBOH | RCW 43.20.050 and 70.24.130 | Chapter 246-100 WAC, Communicable and certain other diseases; and chapter 246-101 WAC, Notifiable conditions. SBOH (board) is considering amending these chapters to implement changes made by ESHB 1551 as it relates to HIV/AIDS. The board may also consider other technical or editorial changes as needed. | 20-15-112 | 21-20-127 | Anticipate filing | | Kaitlyn Donahoe and LinhPhung Huynh | 360-584-6737 or 360-789-6860 |
| SBOH | RCW 43.20.050 and 70.90.120 | Chapter 246-260 WAC, Water recreation facilities; and chapter 246-262 WAC, Recreational water contact facilities. | 17-01-048 | | | | Peter Beaton or Kaitlyn Donahoe | 360-236-4031 or 360-584-6737 |
| SBOH | RCW 43.20.050 | Chapter 246-272A WAC, On-site sewage systems. | 18-06-082 | Anticipate filing | | | Stuart Glasoe or Peter Beaton | 360-236-4111 or 360-236-4031 |
| SBOH | RCW 43.20.050 | Chapter 246-272A WAC, On-site sewage systems, drain field remediation. | 06-12-108 | | | | Stuart Glasoe or Peter Beaton | 360-236-4111 or 360-236-4031 |
| SBOH | RCW 43.20.050 | WAC 246-203-130 Keeping of animals. | 19-21-018 | Anticipate filing | | | Stuart Glasoe | 360-236-4111 |
| SBOH | RCW 43.70.250 and 69.30.050 | WAC 246-282-990(4), Sanitary control of shellfish—Fees, annual paralytic shellfish poisoning testing fee redistribution. | | Anticipate filing | | | Peter Beaton | 360-236-4031 |

**Department of health
Rule Making**

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| Board of hearing and speech | RCW 18.35.161 and 43.70.250 | WAC 246-828-020, 246-828-025, 246-828-04503, 246-828-075, 246-828-300, and 246-828-990, Hearing and speech, examinations, definitions, postgraduate professional work experience requirements— Audiologist and speech-language pathologist, supervisors of students, expired license or certification, and hearing aid specialist, audiologist, speech-language pathologist, and speech-language pathology assistant fees and renewal cycle. | 19-13-038 | Anticipate filing | | | Kim-Boi Shaddock | 360-236-2912 |

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| Board of massage | RCW 18.10.025 and 18.108.085 | WAC 246-830-201, 246-830-485, 246-830-490, 246-830-500, and 246-830-510, Massage Practitioners. DOH, in coordination with the board of massage, is considering revising sections of the massage practitioner rules to correct the names of the national examinations, clarify the training requirements for somatic education and intraoral massage education, and clarify and modernize the language in the equipment and sanitation rule and the hygiene rule. | 21-09-038 | | | | Megan Maxey | 360-236-4945 |
| Board of naturopathy | RCW 18.36A.160; and SB 5124 (chapter 179, Laws of 2021) | Chapter 246-836A WAC (new), Colon hydro therapists; and chapter 246-836 WAC (new sections), Naturopathic physicians. The board of naturopathy (board) is considering establishing a new chapter and section of rule to implement SB 5124 which establishes the colon hydro therapist profession. | 21-16-030 | Anticipate filing | | | Susan Gragg | 360-236-4941 |
| Board of naturopathy | RCW 18.36A.160 | WAC 246-836-080 Continuing competency program. The board is considering amendments to the continuing education rules for naturopathic physicians in response to rule petitions. | 21-21-111 | | | | Susan Gragg | 360-236-4941 |
| Board of naturopathy | RCW 18.36A.160 | WAC 246-836-210 Authority to use, prescribe, dispense, and order. The board of naturopathy is considering rule making regarding the practice of nonsurgical cosmetic procedures in naturopathic practice, including education and training. The board is considering revising WAC 246-836-210 and creating a new section(s) of rule. | 20-24-042 | | | | Susan Gragg | 360-236-4941 |

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| Board of osteopathic physicians and surgeons | RCW 18.57.005 and 18.130.050 | WAC 246-853-650 Safe and effective analgesia and anesthesia administration in office-based settings. The board of osteopathic medicine and surgery (board) is considering rule amendments in response to a rule petition requesting changes to the definition of the term "minimal sedation." | 21-11-025 | | | | Tracie Drake | 360-236-4766 |
| Board of osteopathic physicians and surgeons | RCW 18.57.005 and 18.130.050 | WAC 246-853-XXX Osteopathic physicians and surgeons. The board is considering creating new rule sections to regulate the provision of anesthesia in a dental setting. | 21-09-070 | Anticipate filing | | | Tracie Drake | 360-236-4766 |
| Board of physical therapy | RCW 18.74.023; and HB 2446 (chapter 222, Laws of 2018) | Chapter 246-915 WAC, Physical therapists and physical therapist assistants. The board of physical therapy (board) is considering necessary changes to existing rules for physical therapist supervision of assistive personnel per HB 2446 (chapter 222, Laws of 2018). The board is also proposing chapter amendments to make general updates, revisions, and housekeeping amendments. | 18-17-127 | | | | Kris Waidely | 360-236-4847 |
| Board of physical therapy | RCW 18.74.023 | WAC 246-915-120 Foreign educated applicants. The board is considering changes to the requirement that passing scores for the internet-based Test of English as a Foreign Language (ibTOEFL) all be earned during the same test sitting. | 21-01-056 | Anticipate filing | | | Kris Waidely | 360-236-4847 |

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| Chiropractic quality assurance commission | RCW 18.25.0171 and 18.130.050 | WAC 246-808-010, 246-808-505, 246-808-600, 246-808-605, 246-808-610, 246-808-615, 246-808-620, 246-808-625, 246-808-630, 246-808-650, 246-808-655, 246-808-660, 246-808-670, 246-808-680, 246-808-685, 246-808-690, 246-808-695, 246-808-720, and 246-808-810. The chiropractic quality assurance commission is considering revising these rules regarding definitions, procedures, instrumentation, publicity, advertising, printed materials, transactions, costs, records, duties, mandatory reporting, associations, societies, insurance and professional liability carriers, courts, state and federal agencies, and conflict of interest. | 16-23-120 | Anticipate filing | | | Betty Moe | 360-236-2868 |
| Chiropractic quality assurance commission | RCW 18.25.0171 and 18.130.050 | WAC 246-808-105, 246-808-115, 246-808-130, 246-808-133, 246-808-135, 246-808-140, 246-808-180, 246-808-181, 246-808-190, 246-808-201, 246-808-215, 246-808-510, and 246-808-535, regarding Licensure — Application and eligibility requirements. The chiropractic quality assurance commission is considering revising the rules and proposing to establish new temporary practice rules for military status or military-related status. | 16-21-080 | | | | Betty Moe | 360-236-2868 |

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| Chiropractic quality assurance commission | RCW 18.25.0171 and 18.130.050 | WAC 246-808-540 Billing, 246-808-545 Improper billing practices, 246-808-550 Future care contracts prohibited, 246-808-560 Documentation of care, 246-808-565 Radiographic standards, 246-808-570 Pelvic or prostrate examination prohibited, 246-808-575 Intravaginal adjustment restricted, 246-808-580 Acupuncture, 246-808-585 Clinically necessary X-rays, and 246-808-590 Sexual misconduct. The chiropractic quality assurance commission is considering amending these rules to align with current practice standards. | 16-23-106 | | | | Betty Moe | 360-236-2868 |
| Chiropractic quality assurance commission | RCW 18.25.0171 and 18.130.050 | WAC 246-808-XXX Independent chiropractic examinations (ICE). The chiropractic quality assurance commission is considering creating rules to set standards for independent chiropractic physical examinations and patient records reviews. | 15-21-047 | | | | Betty Moe | 360-236-2868 |
| Dental quality assurance commission | RCW 18.32.002, 18.32.0365, and 18.29.050 | WAC 246-817-195 Licensure requirements for expanded function dental auxiliaries (EFDAs). The dental quality assurance commission (commission) is considering rule amendments to determine if placing and finishing amalgam restoration on clinical patients for EFDA licensure is necessary during required education. | 21-17-119 | Anticipate filing | | | Jennifer Santiago | 360-236-4893 |

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| Dental quality assurance commission | RCW 18.32.002, 18.32.0365, and 18.29.050 | WAC 246-817-581 Novel coronavirus disease 2019 vaccination delegation. The dental quality assurance commission (commission) is considering permanent rule making allowing dentists to delegate administration of novel coronavirus disease 2019 (COVID-19) vaccination to licensed dental hygienists with close supervision and demonstration of competency. | 21-07-020 | 21-18-005 | Anticipate filing | | Jennifer Santiago | 360-236-4893 |
| Dental quality assurance commission | RCW 18.32.002, 18.32.0365, and 18.32.640 | WAC 246-817-701 through 246-817-790, Administration of anesthetic agents for dental procedures. The dental quality assurance commission is considering amendments to update general requirements. In addition to general updates, the commission is also considering amendments to address 24-hour on-call availability after a complex dental procedure, on-site inspections for all dentists holding sedation permits, and creation of a pediatric sedation endorsement. | 17-17-089 | | | | Jennifer Santiago | 360-236-4893 |
| DOH | SHB 2246 (chapter 20, Laws of 2020) | Title 246 WAC. Updates statutory references within multiple DOH rule chapters due to a legislative reorganization of Title 70 RCW and splitting it into two separate chapters, Title 70A RCW. | | 22-03-021 | Anticipate filing | | Nina Helping [Helping] | 360-236-3065 |
| DOH | RCW 70.342.075 and 43.70.040 | Title 246 WAC. Creating a new chapter of rule to establish nicotine content measurement standards for closed system nicotine containers use with vapor products. | 17-15-026 | | | | Stacia Wasmundt or Liz Clement | 360-236-2568 (Stacia) or 360-236-3309 |
| DOH | Chapter 220, Laws of 2017 | Title 246 WAC. Establishing a new chapter relating to rapid health information network data reporting (RHINO). | 17-21-075 | | | | Amanda Morse | 206-437-2045 |

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| DOH | RCW 34.05.220, 34.05.240, 42.56.070, and 43.70.040 | Chapter 246-08 WAC, Practice and procedure, rules regarding department adjudicative proceedings for declaratory orders; public record requests; agency indexes; and general agency administrative processes. The department is reviewing existing rules within the chapter to identify amendments that may be necessary as a result of changes in statutes, changes in internal operations, opportunities to streamline processes to reduce regulatory burden without compromising public health and safety, and to provide clear, concise and reasonable rules. This rule making excludes WAC 246-08-390 Acquisition, security, disclosure and destruction of health information; and 246-08-400 How much can a health care provider charge for searching and duplicating health care records. | 19-16-114 | | | | Tami Thompson | 360-628-0096 |
| DOH | RCW 43.70.280 | Chapter 246-12 WAC, Administrative procedures and requirements for credentialed health care providers. | 17-10-007 | | | | Ataila Robbins | 360-236-2978 |
| DOH | RCW 43.70.613 and E2SB [ESSB] 5229 (chapter 276, Laws of 2021) | Chapter 246-12 WAC, Administrative procedures and requirements for credentialed health care providers. The department is considering creating model rules establishing minimum standards for health equity continuing education (CE) programs for health professions licensed under Title 18 RCW to implement ESSB 5229. The department is also considering adopting the health equity CE requirements for all professions under the secretary's authority. | 21-20-011 | Anticipate filing | | | Ashley Bell | 360-236-2961 |
| DOH | RCW 43.70.280 | WAC 246-12-XXX Closure of abandoned incomplete health care credential applications. | 17-10-045 | | | | Ataila Robbins | 360-236-2978 |

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| DOH | Chapter 43.70 RCW; ESHB 1094 (chapter 203, Laws of 2019) | Chapter 246-72 WAC, Medical marijuana consultant certification. The department is opening chapter 246-72 WAC to consider amendments that would enhance and clarify training requirements and practice parameters of a medical marijuana certified consultant (certified consultant). | 20-06-027 | Anticipate filing | | | Shelly Rowden | 360-236-2820 |
| DOH | RCW 70A.388.040 and 70A.388.110 | Chapters 246-231, 246-236, 246-237, 246-243, and 246-244 WAC. Updating to be consistent with the United States Nuclear Regulatory Commission's rules. | | Anticipate filing | | | Nina Helpling | 360-236-3065 |
| DOH | RCW 70.90.120 and 43.20.050 | WAC 246-260-010 Definitions, abbreviations, and acronyms for water recreation facilities and WAC 246-262-010 Definitions, abbreviations, and acronym for recreational water contact facilities. | | | Anticipate filing | 22-01-010 | Peter Beaton | 360-236-4031 |
| DOH | RCW 90.46.200 | Establish a new chapter 246-275 WAC, On-site nonpotable water systems. | 21-17-040 | Anticipate filing | | | Jocelyn Jones | 360-236-3020 |
| DOH | RCW 70A.125.170 | WAC 246-296-020, 246-296-050, and 246-296-130, Drinking water state revolving fund loan program—Disadvantaged communities. | Anticipate filing | | | | Nina Helpling | 360-236-3065 |
| DOH | RCW 70.38.115, 70.38.135, and 43.70.040 | Chapter 246-310 WAC, Certificate of need. Amending, creating, and repealing rules in order to clarify, streamline, and modernize language, including need methodologies. | 20-02-008 | | | | Eric Hernandez | 360-236-2956 |
| DOH | 2SHB 1148 (chapter 61, Laws of 2021) | Chapter 246-320 WAC, Hospital licensing regulations. DOH is considering updating rules about enforcing licensing requirements for acute care hospitals, including creating a severity matrix for fines related to hospital enforcement. | 20-02-008 | | | | Julie Tomaro | 360-236-2937 |
| DOH | RCW 70.41.030 | Chapter 246-320 WAC, Hospital licensing regulations (construction standards only). | 18-17-045 | | | | Susan Upton and John Williams | 360-236-2950 |

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| DOH | SHB 2426 (chapter 115, Laws of 2020) | Chapter 246-322 WAC, Private psychiatric and alcoholism hospitals. DOH is adopting a severity matrix for fines related to private psychiatric hospital enforcement in order to implement SHB 2426. | 20-14-108 | 21-21-106 | Anticipate filing | | Dan Overton | 360-236-2937 |
| DOH | RCW 18.46.060 | Chapter 246-329 WAC, Childbirth centers. DOH is considering updates to sections of this rule's chapter that require clarification, consolidation, and modernization. | Anticipate filing | | | | John Hilger | 360-236-2929 |
| DOH | RCW 70.127.120 | WAC 246-335-510, 246-335-545, 246-335-610, and 246-335-645, in-home services agencies. The department will consider: (1) Removing the requirement that supervision of aide services must be "during an on-site visit," (2) adding that a supervisory visit "may be conducted on-site or via telemedicine," (3) amending the definition of "telemedicine" to align with current practice, and (4) other related changes as appropriate. These permanent rules will replace emergency rules on the same subject. | 21-20-084 | | | | John Hilger | 360-236-2929 |
| DOH | RCW 71.12.670 | WAC 246-337-040 Construction review services requirements. DOH is considering updating residential treatment facility rules to reflect upcoming changes to the Washington state building code. | 20-07-124 | | | | John Hilger | 360-236-2929 |
| DOH | RCW 71.24.037 | Chapter 246-341 WAC, Behavioral health agency licensing and certification. Phase two of a multi-phase project to modernize licensing and certification requirements. | 21-14-010 | Anticipate filing | | | Julie Tomaro | 360-236-2937 |

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| DOH | Chapters 70.114A and 43.70 RCW | Chapter 246-358 WAC, Temporary worker housing. The purpose is to consider including increased protections for housing occupants from communicable diseases such as COVID-19. | 20-19-047 | | | | Todd Phillips | 360-236-3302 |
| DOH | RCW 43.70.040, 70.170.060 | Chapter 246-453 WAC, Hospital charity care. | 18-18-073 | Anticipate filing | | | Carrie Baranowski | 360-236-4210 |
| DOH | E2SHB 1272 | WAC 246-454-010, 246-454-020, 246-454-090, and 246-454-110, Hospitals—System of accounting, financial reporting, budgeting, cost allocation. | 21-23-082 | | | | Carrie Baranowski | 360-236-4210 |
| DOH | E2SHB 1272 | Chapter 246-455 WAC, Hospital patient discharge information reporting. | 21-13-095 | Anticipate filing | | | Katitza Holthaus | 360-236-4311 |
| DOH | RCW 70.225.090 (2)(b) | WAC 246-470-XXX adding a new section relating to the prescription monitoring program (PMP). DOH is proposing a new section in chapter 246-470 WAC to establish a waiver process and criteria for facilities, entities, offices, or provider groups with 10 or more prescribers to apply for an exemption from the PMP and electronic health record integration required by SSB 5380. | 20-03-038 | 21-08-048 | Anticipate filing | | Carly Bartz-Overman | 360-236-3044 |
| DOH | RCW 69.48.180, 69.48.120, 69.48.050; 2SHB 1161 (chapter 155, Laws of 2021) | WAC 246-480-010, 246-480-070, 246-480-080, and 246-480-990 within chapter 246-480 WAC, Drug take-back program. | Anticipate filing | | | | Mary Kellington | 360-236-2988 |
| DOH | HB 1031 | Chapter 246-491 WAC, Certificates; and WAC 246-490-200 Electronic reporting of deaths. | 21-13-096 | Anticipate filing | | | Katitza Holthaus | 360-236-4311 |
| DOH | RCW 43.70.780 | Chapter 246-770 WAC, Fruit and vegetable incentives. DOH is considering creating a new chapter to implement a fruit and vegetable incentives program. | 21-01-186 | | | | Alyssa Auvien | 360-999-8967 |
| DOH | SB 5018 (chapter 87, Laws of 2021) and SHB 2378 (chapter 80, Laws of 2021); RCW 18.06.160 | Chapter 246-803 WAC, Acupuncture and Eastern medicine practitioner. DOH is considering rule making necessary to implement legislative changes. | 21-12-041 | Anticipate filing | | | Vicki Brown | 360-236-4865 |

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| DOH | RCW 18.225.040, 18.225.090 | Chapter 246-809 WAC, Licensure for mental health counselors, marriage and family therapists, and social workers. | 18-11-029 | | | | Brandon Williams | 360-236-4611 |
| DOH | HB 1504 | Sections of chapter 246-810 WAC, Counselors. Sections impacted possibly include but are not limited to WAC 246-910-010 Definitions and 246-810-015 Agency affiliated counselor: Scope of practice and credentialing requirements. HB [E2SHB] 1504 allowed student interns to apply for the agency affiliated counselor registration and requires the department to define "student intern." | 21-21-036 | | | | Ted Dale | 360-236-2991 |
| DOH | RCW 18.205.060 | WAC 246-811-070, 246-811-076, and 246-811-300 in chapter 246-811 WAC, Substance use disorder professionals. Rules will (1) update national certification requirements, (2) add pharmacists as a profession eligible for the alternative training path, (3) remove osteopathic physician assistant, and (4) remove the AIDS training requirement reference from the probationary licensure rule. | Anticipate filing | | | | Ted Dale | 360-236-2991 |
| DOH | EHB 1311 | WAC 246-811-010, 246-811-030, 246-811-035, 246-811-990, and new section(s) in chapter 246-811 WAC, Substance use disorder professionals and substance use disorder professionals trainees. DOH is considering updating these sections and possibly adding new sections to implement EHB 1311, recent legislation that adds apprenticeship as a pathway to meeting educational requirements for substance use disorder professional certification. | 21-15-110 | | | | Ashley Bell | 360-236-2961 |

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| DOH | 18.138.070 | Chapter 246-822 WAC, Dietitians or nutritionists. DOH is considering rule making to amend or repeal several sections of the dietitians' and nutritionists' chapter. Specific sections focus on mandatory reporting, examinations, and curriculum. | 18-10-059 | Anticipate filing | | | Ted Dale | 360-236-2991 |
| DOH | RCW 18.50.135 | WAC 246-834-050 Examination requirements for licensure as a midwife, 246-834-060 Initial application requirements for licensure as a midwife, 246-834-160 Student midwife permit, 246-834-250 Legend drugs and devices, and 246-834-370 Data submission. | 21-04-048 | Anticipate filing | | | Kathy Weed | 360-236-4883 |
| DOH | RCW 18.36A.060, 18.36A.140, 43.70.110, 43.70.250, 43.70.280; and SB 5124 (chapter 179, Laws of 2021) | WAC 246-836A-990 (new), Colon hydrotherapist—Fees and renewal cycle. DOH is considering establishing a new section of rule to implement SB 5124, which establishes the colon hydrotherapist profession. | 21-16-026 | Anticipate filing | (new), | | Heather Cantrell | 360-236-4637 |
| DOH | RCW 18.84.040 and 43.70.040 | Chapter 246-926 WAC, Radiological technologists. Clarify, streamline, and modernize the rules for cardiovascular invasive specialists, radiologic technologists, radiologist assistants, and X-ray technicians. | 19-16-115 | | | | Debra Mendoza | 360-236-4841 |

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| DOH | SHB 1383 | Chapter 246-928 WAC, Respiratory care practitioners. DOH is considering rules to implement and align with legislation. SHB 1383 (chapter 114, Laws of 2021) makes several amendments to the respiratory care practitioner profession, including changing the profession's scope of practice and required qualifications and giving DOH authority to create regulations on training requirements and hospital protocols for medical procedures. DOH will also consider updates and housekeeping changes to clarify and streamline chapter 246-928 WAC. | 21-12-040 | Anticipate filing | | | Ted Dale | 360-236-2991 |
| DOH | RCW 18.155.040 | Chapter 246-930 WAC, Sex offender treatment providers (SOTP). Chapter rewrite based on recommendations from newly established SOTP advisory committee. | Anticipate filing | | | | Brandon Williams | 360-236-4611 |
| DOH | RCW 70.168.050, 70.168.60 [70.168.060], and 70.168.100 | WAC 246-976-580 and 246-976-700, Trauma designation process and trauma service standards— Criteria for minimum and maximum distribution of trauma services. | 21-03-011 | | | | Anthony Bledsoe | 360-236-2871 |
| DOH | Chapters 70.168 and 18.73 RCW | Chapter 246-976 WAC (minus WAC 246-976-420, 246-976-580, and 246-976-700 currently open) updating EMS and trauma care systems. Chapter to align with the national standards and streamline applications. | 17-24-013 | Anticipate filing | | | Catie Holstein | 360-236-2830 |
| DOH | SSB 5380 (section 19, chapter 314, Laws of 2019) | Chapter 246-976 WAC, Emergency medical services (EMS) and trauma care systems. DOH is considering updating the sections of this chapter relating to EMS data to respond to legislative requirements required by SSB 5380, section 19, chapter 314, Laws of 2019. New sections may be added as required. | 20-17-011 | Anticipate filing | | | Jim Jansen | 360-236-2821 |

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|---|---|--|-------------------|-------------------|--------------|--------------|----------------------|-----------------------|
| DOH | HB 1120 (2021 legislative session); RCW 18.88B.021 and 18.88B.060 | Chapter 246-980 WAC, Home care aides. DOH is considering amending the rules to allow more than one "date of hire" to allow individuals to complete their initial certification and reduce barriers to reentry. | 20-07-049 | | | | Stacey Saunders | 360-236-2813 |
| Examining board of psychology | RCW 18.83.050 | WAC 246-924-046, 246-924-049, 246-924-053, 246-924-056, 246-924-059, 246-924-100, and others as necessary. The board will consider removing the face-to-face requirement for practicums. | Anticipate filing | | | | Stacey Saunders | 360-236-2813 |
| Examining board of psychology | RCW 18.83.090 | WAC 246-924-230 Continuing education requirements. The board of psychology will examine the possibility of reducing the number of hours required for continuing education. | Anticipate filing | | | | Stacey Saunders | 360-236-2813 |
| Nursing care quality assurance commission | RCW 18.79.010, 18.79.110, and 18.79.260 | WAC 246-840-365, 246-840-367, 246-840-533, and 246-840-930. The nursing care quality assurance commission will consider amendments to specific credential and license requirements for nurse technicians, licensed practical nurses, registered nurses, and advanced registered nurse practitioners in response to the coronavirus disease 2019 (COVID-19) pandemic and the critical demand for health care professionals. | 21-19-104 | Anticipate filing | | | Shad Bell | 360-236-4711 |
| Nursing care quality assurance commission | RCW 18.36A.060, 18.36A.140, 43.70.110, 43.70.250, and 43.70.280 | WAC 246-840-990 Fees and renewal cycle. DOH, in consultation with the nursing care quality assurance commission, is considering fee changes for registered nurses, licensed practical nurses, advanced registered nurse practitioners, and nursing technicians. | 21-23-053 | Anticipate filing | | | Shad Bell | 360-236-4711 |

| Authority | RCW or Session Law | WAC and Rule Title | CR-101 WSR # | CR-102 WSR # | CR-103 WSR # | CR-105 WSR # | Program Contact Name | Program Contact Phone |
|---|--|---|--------------|-------------------|-------------------|--------------|----------------------|-----------------------|
| Nursing care quality assurance commission | RCW 18.79.110 | WAC 246-840-010, 246-840-840, 246-850 [246-840-850]. Include licensed practical nurse students as eligible for the nursing technician credential. | 20-11-044 | 21-20-058 | Anticipate filing | | Shad Bell | 360-236-4711 |
| Nursing care quality assurance commission | RCW 18.79.110, 18.79.400, and 18.79.800 | Chapter 246-840 WAC, Practical and registered nursing, advanced practice pain management rules. | 19-15-092 | | | | Shad Bell | 360-236-4711 |
| Nursing care quality assurance commission | RCW 18.79.110, 18.79.250, 18.79.260, and 18.79.270 | WAC 246-840-300 and 246-840-700 through 246-840-710, Nursing scope of practice. | 19-01-002 | | | | Shad Bell | 360-236-4711 |
| Nursing care quality assurance commission | RCW 18.88A.060 | Chapters 246-841 and 246-842 WAC, nursing assistants, chapter review. | 21-05-021 | | | | Shad Bell | 360-236-4711 |
| Pharmacy quality assurance commission | RCW 18.64.005, 69.41.010(15), and 69.41.075 | New sections in chapter 246-945 WAC pertaining to medication assistance and the settings in which medication assistance occurs. The pharmacy quality assurance commission and DOH are filing jointly to reinstate rules on medication assistance as permitted under chapter 69.41 RCW. | 22-02-015 | | | | Joshua Munroe | 360-236-2987 |
| Pharmacy quality assurance commission | RCW 18.64.205 and 18.64.005 | Chapter 246-945 WAC, the pharmacy quality assurance commission (commission) is considering adding a new section to the chapter to allow retired pharmacists to apply for a retired active pharmacist license status and practice pharmacy under certain conditions. The commission may also amend other sections in chapter 246-945 WAC to correspond to the new section. | 21-09-063 | Anticipate filing | | | Joshua Munroe | 360-236-2987 |
| Pharmacy quality assurance commission | RCW 18.64.005 and 69.50.201 | The commission is opening WAC 246-945-056 Schedule V, to consider deleting Epidiolex from the list of Schedule V controlled substances in Washington state in line with changes to federal regulation and in response to a stakeholder petition to do so. | 20-23-027 | Anticipate filing | | | Joshua Munroe | 360-236-2987 |

| Authority | RCW or Session Law | WAC and Rule Title | CR-101 WSR # | CR-102 WSR # | CR-103 WSR # | CR-105 WSR # | Program Contact Name | Program Contact Phone |
|---------------------------------------|---|--|--------------|-------------------|--------------|--------------|----------------------|-----------------------|
| Pharmacy quality assurance commission | SSB 6526 | Creating a new section in chapter 246-945 WAC allowing for the donation and reuse of unexpired drugs as required by SSB 6526. | 20-17-143 | Anticipate filing | | | Joshua Munroe | 360-236-2987 |
| Podiatric medical board | RCW 18.22.015 | WAC 246-922-300 Podiatric continuing education required and 246-922-310 Categories of creditable podiatric continuing education activities. The podiatric medical board is considering amendments to update and clarify the continuing education rules for podiatric physicians. | 21-17-050 | | | | Susan Gragg | 360-236-4941 |
| Veterinary board of governors | Chapter 76, Laws of 2020 | Chapter 246-933 WAC, Suicide prevention education; repealing AIDS education. | 20-24-095 | Anticipate filing | | | Loralei Walker | 360-236-4947 |
| Veterinary board of governors | RCW 18.92.030 and 18.92.260 | WAC 246-933-501 through 246-933-590, authorizing animal care and control agencies and nonprofit humane societies to provide veterinary services. | 20-01-013 | Anticipate filing | | | Loralei Walker | 360-236-4947 |
| Washington medical commission | RCW 18.71.017, 18.71.18, 71.002 [18.71.002], and 18.130.050 | Chapters 246-919 and 246-918 WAC, considering a new technical assistance program to address practitioner deficiency issues. The medical quality assurance commission (commission) is considering creating two new rule sections that will establish a clinical assistance program to resolve practice deficiencies that may not rise to the level of a license sanction or revocation through a plan of education, training, and/or supervision for allopathic physicians and physician assistants. The commission will consider amending other related rules as needed. | 18-06-007 | | | | Amelia Boyd | 360-236-2727 |
| Washington medical commission | SB 6551 | New section in chapter 246-919 WAC establishing a waiver and experience license for international medical graduates as required by SB 6551 from the 2020 session. | 20-17-024 | Anticipate filing | | | Amelia Boyd | 360-236-2727 |

| Authority | RCW or Session Law | WAC and Rule Title | CR-101 WSR # | CR-102 WSR # | CR-103 WSR # | CR-105 WSR # | Program Contact Name | Program Contact Phone |
|-------------------------------|---|---|--------------|-------------------|--------------|--------------|----------------------|-----------------------|
| Washington medical commission | RCW 18.71.017, 18.130.050, and 18.71A.020 | New sections in chapters 246-918 and 246-919 WAC regarding collaborative drug therapy agreements. | 20-16-008 | | | | Amelia Boyd | 360-236-2727 |
| Washington medical commission | RCW 18.71.017 and 18.71A.020 | WAC 246-918-801, amending opioid prescribing rules to exempt long-term care facilities. | 20-08-070 | Anticipate filing | | | Amelia Boyd | 360-236-2727 |

WSR 22-04-001
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
FISH AND WILDLIFE
 (Fish and Wildlife Commission)
 [Filed January 19, 2022, 2:07 p.m.]

At its January 14, 2022, meeting, the fish and wildlife commission revised the following locations for its 2022 calendar:

| Date | Meeting Type |
|-----------------|----------------------------------|
| January 13-15 | Webinar |
| January 28 | Web conference |
| February 17-19 | Webinar |
| March 17-19 | Webinar |
| April 7-9 | Webinar |
| May 13 | Web conference |
| June 10 | Web conference |
| June 23-25 | Webinar |
| July 15 | Web conference |
| August 4-6 | Hybrid/in-person Ocean Shores |
| August 26 | Web conference |
| September 22-24 | Hybrid/in-person Clarkston |
| October 7 | Web conference |
| October 27-29 | Hybrid/in-person Colville |
| November 18 | Web conference |
| December 8-10 | Webinar |

Commission meetings are open to the public. Meeting agendas, minutes, and recordings are available on the commission's website.

WSR 22-04-002

AGENDA

UNIVERSITY OF WASHINGTON

[Filed January 19, 2022, 6:03 p.m.]

**Semi-Annual Agenda for Rules Under Development
(Per RCW 34.05.314)
January 2022**

Rule-making activity not now anticipated may be added if conditions warrant between semi-annual agendas.

1. Rule making is anticipated for chapter 478-140 WAC, Rules and regulations for the University of Washington governing student education records, during the first half of 2022.

2. Rule making is anticipated for chapter 478-276 WAC, Governing access to public records, during the first half of 2022.

For more information concerning the above rules, please contact Barbara Lechtanski, Director of University Policy and Rules Office, Washington State Rules Coordinator, University of Washington, Box 351210, Seattle, WA 98195-1210, phone 206-543-9219, email rules@uw.edu, website washington.edu/rules.

WSR 22-04-003

POLICY STATEMENT

UNIVERSITY OF WASHINGTON

[Filed January 19, 2022, 6:06 p.m.]

Notice of Interpretive or Policy Statement

The University of Washington has recently created or revised the following bylaws, orders, policy statements, scholastic regulations, and faculty code:

- "Faculty Councils (The Standing Committees of the University Faculty) and Their Duties," revised January 14, 2022 (FCG, Chapter 42, S-A 158).
- "University Organization Chart," revised January 7, 2022 (APS 1.1).
- "University Leadership List," revised January 7, 2022 (APS 1.2).
- "Information Technology, Telecommunications and Networking Projects, and Acquisitions," revised December 21, 2021 (APS 2.3).
- "State of Washington Paid Family and Medical Leave Program," revised December 21, 2021 (APS 45.6).
- "The Grading System," revised December 3, 2021 (FCG, Scholastic Regulations, Chapter 110, Section 1).
- "Advisory Committees and Boards of the Board of Regents," revised November 10, 2021 (BRG, Standing Orders, Chapter 4).
- "Compliance with Governor's COVID-19 Vaccination Requirement: Faculty and Librarians," revised October 12, 2021 (Executive Order No. 80).
- "Voting Membership in the Faculty," revised September 16, 2021 (FCG, Chapter 21, Section 21-32).
- "Advisory Committees and Boards of the Board of Regents," revised September 9, 2021 (BRG, Standing Orders, Chapter 4).
- "Compliance with Education Department Sexual Harassment Regulations," revised August 14, 2021 (Executive Order No. 70).

For more information regarding University of Washington policy, please visit the following website washington.edu/admin/rules/policies/.

For more information regarding these materials, contact Barbara Lechtanski, Director of University Policy and Rules Office, University of Washington, Box 351210, Seattle, WA 98195-1210, email rules@uw.edu.

WSR 22-04-005

AGENDA

DEPARTMENT OF

FINANCIAL INSTITUTIONS

[Filed January 20, 2022, 8:53 a.m.]

**Semi-Annual Agenda for Rules Under Development
January 1 - June 30, 2022****DIVISION OF CONSUMER SERVICES**

- Consumer Loan Act. Begin, finalize, and adopt rules under chapter 208-620 WAC to amend the rules to clarify the requirements for the servicing of income share agreements that meet the definition of a student education loan.
- Escrow Agent Registration Act. Begin a rule making under chapter 208-630 WAC to amend the rules for independent escrow companies and escrow officers to facilitate transition of the industry to the nationwide multistate licensing system (NMLS). Transitioning to NMLS will create efficiencies for the industry and the department.

DIVISION OF SECURITIES

- Amendments to small company offering registration (SCOR) rules in chapter 460-17A WAC. SCOR rules set forth in chapter 460-17A WAC are based on a statement of policy adopted by the North American Securities Administrators Association (NASAA). NASAA amended this statement of policy on May 19, 2019. The securities division plans to amend its related rules in chapter 460-17A WAC to align with the updated NASAA statement of policy.
- Repeal of the mortgage paper securities registration rules in chapter 460-33A WAC. The rules set forth in chapter 460-33A WAC provide an optional method of registration for offerings of mortgage paper securities. An offering has not been registered under these rules since 2013. Changes in federal laws since that time eliminate the utility of these rules. Accordingly, the securities division plans to repeal these rules.

WSR 22-04-007

NOTICE OF PUBLIC MEETINGS

SKAGIT VALLEY COLLEGE

[Filed January 20, 2022, 2:23 p.m.]

The date of the regular March 2022 meeting of the Skagit Valley College board of trustees has been changed to March 15, 2022 (originally scheduled for March 8, 2022). The meeting time, 4:30 p.m., and location, Administrative Annex - Board Room, Mount Vernon Campus, remains unchanged.

WSR 22-04-016

AGENDA

GAMBLING COMMISSION

[Filed January 21, 2022, 2:17 p.m.]

Following is the gambling commission's semi-annual rule-making agenda for rules under development for January 1 through June 30, 2022, pursuant to RCW 34.05.314.

| WAC Chapter and/or Section(s) | Subject Matter | Current Activity | | |
|--|---|----------------------|---|----------------------------------|
| | | Preproposal (CR-101) | Proposal (CR-102) or Expedited (CR-105) | Permanent (CR-103P) |
| Chapter 230-23 WAC | Self-exclusion | WSR 19-21-133 | WSR 21-22-005 | Expected January - February 2022 |
| Chapter 230-16 WAC Chapter 230-06 WAC | Gambling equipment in warehouses | WSR 19-03-095 | | |
| Chapter 230-13 WAC | Amusement game locations | WSR 20-12-007 | ON HOLD | |
| Title 230 WAC | Sports wagering | WSR 20-15-154 | WSR 22-03-099 | Expected March - June 2022 |
| Title 230 WAC | Use of an iDROP kiosk/TITO devices for table games play | WSR 22-03-070 | | |
| Title 230 WAC | Centralized surveillance for card rooms | WSR 22-03-069 | | |

Ashlie Laydon
Rules Coordinator

WSR 22-04-021

NOTICE OF PUBLIC MEETINGS

STATE BOARD OF HEALTH

(Governor's Interagency Council on Health Disparities)

[Filed January 22, 2022, 7:58 p.m.]

2022 Council Meeting Schedule

Approved by the Council on December 2, 2021

Updated by the Council on January 3, 2022

| Meeting Date | Location |
|---|--|
| Wednesday February 16, 2022 (possibly 1/2 day) Cancelled on 1/3/22, at a special meeting | To be determined (TBD): Online via Zoom meeting, hyperlink provided on website and agenda. Possibly meet in person depending on updated guidance. |
| Thursday May 19, 2022 | TBD: Online via Zoom meeting, hyperlink provided on website and agenda. Possibly meet in person depending on updated guidance. |
| Thursday September 15, 2022 | TBD: Online via Zoom meeting, hyperlink provided on website and agenda. Possibly meet in person depending on updated guidance. |
| Thursday December 15, 2022 | TBD: Online via Zoom meeting, hyperlink provided on website and agenda. Possibly meet in person depending on updated guidance. |

Please see the health disparities council website for the most current information.

WSR 22-04-030
DEPARTMENT OF
CHILDREN, YOUTH, AND FAMILIES
 [Filed January 24, 2022, 9:05 a.m.]

Following is the department of children, youth, and families (DCYF) semi-annual rule-making agenda for January 1 through June 30, 2022. This agenda will be published in the Washington State Register as required in RCW 34.05.314 and distributed to interested parties. It is also available on the DCYF rule making web page.

This agenda represents DCYF rule-making that is anticipated or under development at this time. There may be additional rule-making activities needed to implement legislative actions, comply with federal mandates, or meet unforeseen circumstances.

Semi-Annual Rule-Making Agenda
 January 1 - June 30, 2022

| WAC Sections | Subject Matter | CR-101 Filings | CR-102 or CR-105 Filings | CR-103E Filings |
|---|---|--------------------------------|---------------------------------|---|
| Chapters 110-04 and 110-06 WAC | <p>Background checks: Amending rules to revise criminal convictions that may disqualify an individual from being licensed, contracted, certified, or authorized to have unsupervised access to children, or trigger further review to determine the applicant's character, suitability, and competence to have unsupervised access to children.</p> <p>Rule making will also implement chapter 9.97 RCW to explain when certificates of restoration of opportunity (CROP) will be included in criminal history record reports, qualifying letters, or other assessments during a background check, and when CROP will not be considered during a background check.</p> | WSR 19-20-096 Filed 10/1/19 | WSR 21-22-038 Filed 10/27/21 | |
| Chapter 110-15 WAC | <p>Working connections and seasonal child care: Amending chapter 110-15 WAC to incorporate collective bargaining agreements entered into with represented child care providers. The amendments establish monthly rate authorizations and increased base rates for family home child cares, increased base rates and new field trip reimbursements for family, friend, and neighbor providers, and adjusting the time period in which family home child cares must produce requested records and correct payments.</p> | WSR 21-15-028 Filed 7/12/21 | WSR 22-01-206 Filed 12/21/21 | WSR 21-14-039 Filed 6/30/21 WSR 21-21-081 Filed 10/18/21 |
| WAC 110-15-0005, 110-15-0075, and 110-15-0190 | <p>Working connections and seasonal child care: Amending rules to implement chapter 330, Laws of 2020, which grants eligibility to certain teen parents enrolled in high school or an equivalency program.</p> | WSR 21-15-028 Filed 7/12/21 | WSR 22-01-206 Filed 12/21/21 | |
| WAC 110-15-0045 | <p>Working connections child care: Amending WAC 110-15-0045 to implement chapter 199, Laws of 2021, which relieves certain student participants from the work component.</p> | WSR 15-21-028 Filed 7/12/21 | WSR 22-01-206 Filed 12/21/21 | |

| WAC Sections | Subject Matter | CR-101 Filings | CR-102 or CR-105 Filings | CR-103E Filings |
|--|---|---------------------------------|---------------------------------|-----------------|
| Chapters 110-145, 110-147, and 110-148 WAC | Licensing: Amending Title 110 WAC to better address the needs of and promote culturally relevant service delivery to LGBTQ+ identifying children and youth served by the department. | WSR 20-10-082 Filed 5/4/20 | WSR 22-01-208 Filed 12/21/21 | |
| WAC 110-145-1425, 110-145-1430, 110-145-1440, 110-145-1445, 110-145-1450, 110-145-1460, 110-145-1475, 110-145-1490, and 110-145-1725 | Licensing—Group care: The proposed rules amend education, experience, and other prerequisites for executive directors, program managers, case managers, direct care staff, case management consultants, and volunteers who work in [in] group care facilities and crisis residential centers. | WSR 21-01-032 Filed 12/7/20 | WSR 22-01-207 Filed 12/21/21 | |
| Chapter 110-147 WAC | Licensing requirements for child placing agency and adoption services: Amending rules to require e-filing for licensing applications and related documents using a department-provided filing application. | Exempt | WSR 22-01-208 Filed 12/21/21 | |
| WAC 110-300-0355 and 110-300-0358 | Licensing—Early learning child care: Amending WAC 110-300-0355 and developing WAC 110-300-0358, effective February 7, 2022, to allow DCYF to waive family home child cares' 12 children enrollment cap as authorized by section 313, chapter 199, Laws of 2021, and establish the criteria DCYF will use for considering waiver applications. | Exempt | WSR 21-20-111 Filed 10/4/21 | |
| Chapter 110-15 WAC | Working connections and seasonal child care: Amending rules to implement sections 305 and 404, chapter 199, Laws of 2021, to provide dual-language and infant incentives for providers beginning July 1, 2022. | WSR 21-15-028 Filed 7/12/21 | | |
| Title 110 WAC | Licensing—Early learning child care: Amending rules to implement chapter 304, Laws of 2021, which authorizes the department to issue child-specific foster care, places a time-specific moratorium on the department's collection of child care licensing fees, requires background check applications to be uploaded to the department's online workforce registry (MERIT), and modifies the department's internal child care review process. | WSR 21-12-013 Filed 5/20/21 | | |
| Chapter 110-300 WAC | Licensing—Early learning child care: DCYF is considering amendments intended to better clarify emergency exit requirements, update immunization requirements necessary to align chapter 110-300 WAC with the department of health's rules, and make other technical corrections. | WSR 21-15-060 Filed 2/16/21 | | |
| Chapters 110-300 and 110-300E WAC | Licensing—Early learning child care: Amending rules in response to a petition for rule making, DCYF anticipates adopting rules that address diapering station privacy in early learning child care programs. | WSR 21-24-004 Filed 11/18/21 | | |

| WAC Sections | Subject Matter | CR-101 Filings | CR-102 or CR-105 Filings | CR-103E Filings |
|---------------------------------|---|--------------------------------|--------------------------|-----------------|
| Title 110 WAC | Juvenile rehabilitation: DCYF expects to develop rules to implement E2SHB 1186 (2021), which created a community transition services program for youth and young adults in juvenile rehabilitation residential facilities. | WSR 21-13-019 Filed 6/21/21 | | |
| Title 110 WAC | Relative guardianship assistance: Developing new rules for eligibility, application, and program standards consistent with 42 U.S.C. 673 to ensure relative guardianship subsidy payments comply with guidelines for expenditure of federal grant monies. Rules will clarify the application process, program standards, and the process for adjudicating denied applications. | WSR 20-15-092 Filed 7/15/20 | | |
| WAC 110-30-0230 and 110-30-0280 | Child protective services: Amending rules to better align WAC 110-30-0230 and 110-30-0280 with RCW 26.44.125. | Exempt | | |
| Chapter 110-01 WAC | Public disclosure: Anticipated amendments will better align rules with current public disclosure procedures. | Anticipated | | |
| Chapter 110-50 WAC | Child welfare: Amending the types of cases referred to division of child support and update good cause reasons. | Anticipated | | |
| Title 110 WAC (new chapter) | Licensing—Early learning child care: Developing rules that will set standards for a pilot project authorized by section 229, chapter 334, Laws of 2021, to explore the feasibility of licensing multi-site child care programs that operate under one owner or entity. | Anticipated | | |
| Title 110 WAC | COVID-19: The department anticipates emergency rule making in response to COVID-19 developments and to implement related governor's proclamations. | | | |
| Title 110 WAC | Technical corrections are necessary following the establishment of DCYF following the mergers of department of social and health services children's and juvenile rehabilitation administrations and the department of early learning. | | Anticipated | |

Brenda Villarreal
Rules Coordinator

WSR 22-04-033
NOTICE OF PUBLIC MEETINGS
STATE INDEPENDENT
LIVING COUNCIL

[Filed January 25, 2022, 10:42 p.m.]

The Washington state independent living council has made the following modifications to its 2022 quarterly meeting schedule: Thursday, April 14, 2022: This meeting will be held from 10:00 a.m. - 2:45 p.m. online via Zoom. A time for public comment will be available. All are welcome to attend. Join Zoom meeting <https://dshs-telehealth.zoom.us/j/9903295060>, Meeting ID 990 329 5060, Phone audio 253-215-8782.

Avivette Coles
Executive Director

WSR 22-04-041

DEPARTMENT OF ECOLOGY

[Filed January 26, 2022, 9:33 a.m.]

**Washington's Underground Storage Tank (UST) Program
Tank Fee Increase in 2023**

Washington's UST fees will increase on July 1, 2023, from \$204.13 to \$216.09 per tank.

As required by law, the fiscal growth factor was used to determine the amount of fee increase. The fiscal growth factor is calculated and adopted by the Economic and Revenue Forecast Council using the average growth in state personal income for the previous 10 fiscal years.

More information on the UST fee increase can be found on the Washington department of ecology's UST program web page, <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Underground-storage-tanks>.

WSR 22-04-045
NOTICE OF PUBLIC MEETINGS
PUBLIC EMPLOYMENT
RELATIONS COMMISSION

[Filed January 26, 2022, 12:50 p.m.]

The time in **bold** has changed in the following schedule of regular meetings of the public employment relations commission in 2022, all to be tentatively held via Zoom with location and format subject to change:

| Date | Time |
|-------------------|------------------|
| January 11, 2022 | 10:00 a.m. |
| February 8, 2022 | 1:00 p.m. |
| March 8, 2022 | 10:00 a.m. |
| April 12, 2022 | 10:00 a.m. |
| May 10, 2022 | 10:00 a.m. |
| June 14, 2022 | 10:00 a.m. |
| July 12, 2022 | 10:00 a.m. |
| August 9, 2022 | 10:00 a.m. |
| September 6, 2022 | 10:00 a.m. |
| October 11, 2022 | 10:00 a.m. |
| November 8, 2022 | 10:00 a.m. |
| December 2022 | No meeting |

If you need further information, contact Vanessa Smith at vanessa.smith@perc.wa.gov or 360-570-7332.

WSR 22-04-050
NOTICE OF PUBLIC MEETINGS
BUILDING CODE COUNCIL
 [Filed January 27, 2022, 9:48 a.m.]

In accordance with RCW 42.30.075, the following is a proposed schedule of regular meetings of the Washington state building code council for calendar year 2022.

If you have questions or need additional information, please contact council staff at 360-407-9255 or via email at sbcc@des.wa.gov.

| Date | Meeting | Location | Start Time |
|---|--|--------------------|-------------------|
| January – March Fridays as necessary | Legislative committee | Virtual | 11 a.m. |
| Thursday January 20 | BFP committee MVE committee | Virtual Virtual | 9 a.m. 1 p.m. |
| Friday January 21 | Council meeting | Virtual | 10 a.m. |
| Friday January 28 | WEI | Virtual | 10 a.m. |
| Friday February 11 | Public hearing IBC & IFC | Virtual | 10 a.m. |
| Wednesday February 16 | WEI | Virtual | 10 a.m. |
| Thursday February 17 | BFP committee MVE committee | Virtual Virtual | 9 a.m. 1 p.m. |
| Friday February 18 | Council meeting | Virtual | 10 a.m. |
| Friday February 25 | Public hearing WSEC - commercial | Virtual | 10 a.m. |
| Friday March 11 | Public hearing (Group 1, as needed) | Virtual | 10 a.m. |
| Wednesday March 16 | WEI | Virtual | 10 a.m. |
| Thursday March 17 | BFP committee MVE committee | Virtual Virtual | 9 a.m. 1 p.m. |
| Friday March 18 | Council meeting | Virtual | 10 a.m. |
| Wednesday April 20 | WEI | Virtual | 10 a.m. |
| Thursday April 21 | BFP committee MVE committee | Virtual Virtual | 9 a.m. 1 p.m. |
| Friday April 22 | Council meeting | Virtual | 10 a.m. |
| Thursday May 19 | BFP committee MVE committee | Virtual Virtual | 9 a.m. 1 p.m. |
| Friday May 20 | Council meeting | To be determined | 10 a.m. |
| Thursday June 16 | BFP committee MVE committee | Virtual Virtual | 9 a.m. 1 p.m. |
| Friday June 17 | Council meeting | To be determined | 10 a.m. |
| Wednesday September 21 | WEI | Virtual | 10 a.m. |
| Thursday September 22 | BFP committee MVE committee | Virtual Virtual | 9 a.m. 1 p.m. |
| Friday September 23 | Council meeting Public hearing | To be determined | 10 a.m. |
| Friday October 14 | Public hearing | To be determined | 10 a.m. |
| Thursday October 20 | BFP committee MVE committee | Virtual Virtual | 9 a.m. 1 p.m. |

| Date | Meeting | Location | Start Time |
|-------------------------|--------------------------------|--------------------|----------------------|
| Friday October 21 | Council meeting | To be determined | 10 a.m. to 4 p.m. |
| Friday November 4 | Council meeting | To be determined | 10 a.m. |
| Thursday November 17 | BFP committee MVE committee | Virtual Virtual | 9 a.m. 1 p.m. |
| Friday November 18 | Council meeting | To be determined | 10 a.m. |

BFP committee - Building, fire and plumbing codes committee.

MVE committee - Mechanical, ventilation and energy codes committee.

WEI - Workgroup on economic impact.

WSR 22-04-053

AGENDA

EMPLOYMENT SECURITY DEPARTMENT

[Filed January 27, 2022, 11:54 p.m.]

**Semi-Annual Rule-Making Agenda
(January - July 2022)**

The employment security department (ESD) 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.

ESD encourages the public to be involved in the rule-making processes by attending public hearings and submitting comments on rules. To stay informed of our progress and be notified of any changes, please sign up for email notifications <https://public.govdelivery.com/accounts/WAESD/subscriber/new>.

Additional rule-making information is available on the agency website at <https://esd.wa.gov/newsroom/rulemaking>.

| Subject Matter or Division | WAC Chapter or Sections | 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) |
|---------------------------------|--|--|--|---|---|
| Unemployment insurance benefits | 192-310-010, 192-310-030, and 192-310-050 | Requiring employers to include the standard occupational classification (SOC) code or job title of each worker in their quarterly tax reports (SHB 2308 - 2020). | Filed May 12, 2021, WSR 21-11-031 | To be determined | Will be completed prior to October 1, 2022. |
| Unemployment insurance benefits | 192-240-025 | Updates unemployment insurance qualifications for health care workers (ESSB 5190 - 2021). | Filed May 13, 2021, WSR 21-11-052 | Expected February 2022 | To be determined |
| Unemployment insurance benefits | To be determined | Updates work search requirements with new flexibility provided to the department in SHB 1493 (2021). | Filed May 28, 2021, WSR 21-12-067 | To be determined | To be determined |
| Unemployment insurance benefits | 192-110-095, 192-320-078, 192-320-082, 192-140-098, 192-150-055, 192-180-005, 192-180-025, 192-180-040, 192-270-065, 192-250-020, 192-250-045, 192-110-015, 192-310-030, 192-140-090, 192-04-210, 192-110-050, 192-320-072, 192-240-070, and 192-110-006 | Reviewing phase 1, phase 3, and phase 4 emergency rules adopted as part of the state's COVID-19 pandemic response for permanent adoption. | Filed June 10, 2020, WSR 20-13-041; March 10, 2021, WSR 21-07-035; December, WSR 22-01-192 | Filed December 20, 2021, WSR 22-01-191, 22-01-204, and 22-01-192 | Expected February 2022 |
| Unemployment insurance benefits | 192-150-112 | Aligns WAC 192-150-112 with new definitions of domestic violence contained in E2SHB 1320 (2021). | | CR-105 filed November 3, 2021, WSR 21-22-110 | Expected February 2022 |
| Unemployment insurance benefits | 192-170-055, 192-270-035, and 192-100-901 | Reviewing phase 1, part 2 emergency rules adopted as part of the state's COVID-19 pandemic response for permanent [permanent] adoption. | Extension of CR-101 filed June 10, 2020, WSR 20-13-041 | Expected February 2022 | To be determined |

| Subject Matter or Division | WAC Chapter or Sections | 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) |
|--|--|--|---------------------------------------|---|--------------------------------------|
| Unemployment insurance benefits | 192-170-015 | Defining verification of underlying health conditions. | Filed August 11, 2021, WSR 21-17-059 | Filed November 19, 2021, WSR 21-24-018 | Expected February 2022 |
| Unemployment insurance benefits | 192-190-020 | Repealing lump sum retirement deductions. | | CR-105 filed December 13, 2021, WSR 22-01-125 | Expected February 2022 |
| Unemployment insurance benefits | 192-110-150 | Updating a cross-reference regarding benefit certifications. | | CR-101 filed November 17, 2021, WSR 21-23-100 | Expected February 2022 |
| Paid family and medical leave | 192-620-035 and 192-610-040 | Updates regarding proration and backdating to provide clarification and operational flexibility. | Filed May 17, 2021 WSR 21-11-077 | Filed July 7, 2021, WSR 21-14-093 | Filed August 30, 2021 WSR 21-18-082 |
| Paid family and medical leave | 192-500-200, 192-510-095, 192-530-100, 192-560-011, 192-610-035, and 192-610-100 | Implementing 2021 legislation, HB [E2SHB] 1073 and SB [ESSB] 5097 regarding pandemic leave assistance and the expanded definition of family member. | Filed April 28, 2021 WSR 21-10-047 | Filed June 22, 2021, WSR 21-13-161 | Filed July 29, 2021 WSR 21-16-062 |
| Paid family and medical leave | 192-500-185, 192-560-010, 192-620-035, 192-620-040, 192-800-125, and 192-800-150 | Updates regarding waiting period requirements, small business assistance grants, filing petitions for review, and other clarifying guidance. | Filed November 2, 2021, WSR 21-22-106 | Expected to be filed February 2022 | Expected to be filed April 2022 |
| Long-term services and supports (WA Cares) | 192-910-025 | Implementing a portion of SHB 1323 (2021) to provide a pathway for federally recognized tribes to elect program coverage. | Filed June 22, 2021, WSR 21-13-141 | Filed December 1, 2021, WSR 21-24-098 | Filed January 26, 2022 WSR 22-04-040 |
| Long-term services and supports (WA Cares) | 192-900-005, 192-900-010, 192-900-015, 192-900-020, 192-900-025, 192-900-030, 192-900-035, 192-910-005, 192-910-010, 192-910-015, 192-910-020, 192-915-005, 192-915-010, 192-915-015, 192-920-005, 192-925-005, 192-925-010, and 192-925-015 | The second phase of rule making to implement Title 50B RCW addressed definitions, premium collection, reporting and payments, cost-benefit analysis exemption, election of coverage by self-employed individuals, appeals, and other subjects as needed. | Filed October 16, 2020, WSR 20-21-072 | Filed June 2, 2021, WSR 21-12-104 | Filed August 18, 2021 WSR 21-17-140 |
| Long-term services and supports (WA Cares) | WAC chapters to be determined | The third phase of rule making to implement Title 50B RCW will address audit functions and other rules as necessary. | Filed November 2, 2021, WSR 21-22-107 | To be determined | To be determined |

ESD 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 informational 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 the 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.

The rule-making process can appear complex. ESD has outlined the process on its website to help constituents understand and become involved <https://www.esd.wa.gov/newsroom/rulemaking-process>. If you have

additional questions, please contact the agency rules coordinator,
Scott E. Michael, 360-890-3448, email rules@esd.wa.gov.

WSR 22-04-060

AGENDA

WASHINGTON STATE LOTTERY

[Filed January 27, 2022, 4:01 p.m.]

Pursuant to RCW 34.05.314, Washington's lottery is submitting its semi-annual agenda of rules under development for publishing in the Washington State Register.

The following report describes current lottery rules under development. Additional rule making may be deemed necessary to meet legal requirements, unforeseen circumstances, or evolving agency needs.

Semi-Annual Rule-Making Agenda

January 1 - July 1, 2022

| WAC | Purpose for Rule Making | CR-101 Filing | Next Step |
|--|--|--|---------------------------------------|
| Chapter 315-20 WAC, Procedural rules—Contested cases—Petitions for declaratory ruling and rule making. | The lottery is proposing to add a new section to this chapter to allow the agency to hold brief adjudicative proceedings for certain administrative cases. | CR-101 filed as WSR 21-22-077 on 11/1/21 | CR-102 to be filed 3/1/22 (estimated) |

Kristi Weeks
Director of Legal Services

WSR 22-04-063
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Consumer Directed Employer Rate Setting Board)
 [Filed January 28, 2022, 8:47 a.m.]

2022 Meeting Schedule

| Date | Time | Place |
|---------------------|------------------------|---|
| March 21 | 9:00 a.m. - 12:00 p.m. | Virtual |
| April 18 | 9:00 a.m. - 3:00 p.m. | Virtual |
| April 19 | 9:00 a.m. - 3:00 p.m. | Virtual |
| May 2 | 9:00 a.m. - 3:00 p.m. | Virtual |
| May 10 | 9:00 a.m. - 3:00 p.m. | [*]Virtual or Legislative Building, Columbia Room |
| May 19 | 9:00 a.m. - 3:00 p.m. | *Virtual or Legislative Building, Columbia Room |
| June 9 | 9:00 a.m. - 3:00 p.m. | *Virtual or Legislative Building, Columbia Room |
| June 14 (if needed) | 9:00 a.m. - 3:00 p.m. | *Virtual or Legislative Building, Columbia Room |

* A decision will be made regarding May - June meeting places based on the Governor's Proclamation 20.28.15 (January 19, 2021) and senate concurrent resolution 8402 (January 18, 2021) related to the public health emergency.

WSR 22-04-064

**NOTICE OF PUBLIC MEETINGS
WESTERN WASHINGTON UNIVERSITY**
[Filed January 28, 2022, 11:49 a.m.]

**Services and Activities Fees
Winter 2022 Meeting Schedule**

Pursuant to chapter 42.30 RCW, the following is the winter 2022 schedule of regular meetings of Western Washington University's services and activities fees committee:

Services and activities fees committee meetings will be held every Thursday from 1:00 to 2:00 p.m. beginning January 27 through March 17, 2022.

Meetings will be held virtually, due to campus policy. To participate in the virtual meeting, please contact Debbie Curry by email at Debbie.Curry@wwu.edu.

For potential updates to the meeting date, time, or location, please refer to the following web link <https://vpess.wwu.edu/services-and-activities-fee-meetings-and-documents>.

Please direct any questions regarding the meeting schedule or the public comment period to Michael Sledge, executive director for student life, 360-650-2484, email Michael.Sledge@wwu.edu.

WSR 22-04-066

**NOTICE OF PUBLIC MEETINGS
SHORELINE COMMUNITY COLLEGE**

[Filed January 28, 2022, 3:22 a.m.]

This letter is notification that:

1. The date of the February 2022 Shoreline Community College board of trustees regular meeting has been changed from Wednesday, February 23, 2022, **to** Thursday, February 17, 2022. The regular meeting start time remains the same: 4:30 p.m.

2. The date of the April 2022 Shoreline Community College board of trustees regular meeting has been changed from Wednesday, April 27, 2022, **to** Thursday, April 21, 2022. The regular meeting start time remains the same: 4:30 p.m.

Please email lyonemitsu@shoreline.edu for further information.

WSR 22-04-067

AGENDA

LIQUOR AND CANNABIS

BOARD

[Filed January 28, 2022, 4:12 p.m.]

Pursuant to RCW 34.05.314, this report describes current and anticipated rule development activities for the liquor and cannabis board (LCB). If you have any questions regarding this report or LCB rule development activities, please contact Katherine Hoffman, LCB policy and rules manager, at 360-664-1622 or katherine.hoffman@lcb.wa.gov.

This agenda is for informational purposes, and the noted dates of anticipated rule-making actions are estimates. Any errors in the agenda do not affect the rules and rule-making notices filed with the office of the code reviser and published in the Washington State Register. There may be additional LCB rule development activities that cannot be forecasted as the agency initiates rule making to implement new state laws, meet federal requirements, or meet unforeseen circumstances. The "Key" below explains terms and acronyms.

KEY

CR: "Code reviser" on the notice forms created by the office of the code reviser for use by all state agencies.

CR-101: Preproposal statement of inquiry filed under RCW 34.05.310.

CR-102: Proposed rule making notice filed under RCW 34.05.320 or 34.05.340.

CR-103: Rule-making order permanently adopting a rule, and filed under RCW 34.05.360 and 34.05.380.

RCW: Revised Code of Washington.

WAC: Washington Administrative Code.

WSR: Washington State Register official filing reference number given by the office of the code reviser when a notice is filed.

**Liquor Related Rule Development Agenda
January 1 - June 30, 2022**

| RCW/ SESSION LAW | RULE TITLE/ DESCRIPTION | CR-101 | CR-101 WSR# | CR-102 | CR-102 WSR# | CR-103 | CONTACT | PHONE |
|------------------------|--|-------------|----------------|-----------------------|----------------|------------------------|-------------------|--------------|
| 66.08.030 | WAC 314-03-XXX Axe throwing at liquor licensed premises. LCB is considering creating a new rule section and amending or repealing other related rules in Title 314 WAC as necessary to allow the added activity of axe throwing at liquor licensed premises. | 9/29/21 | 21-20-067 | 3/2/22 (Tentative) | TBD | 4/27/22 (Tentative) | Robert DeSpain | 360-664-1758 |
| 66.08.030 | General liquor rule housekeeping and modernization. | Spring 2022 | TBD | Summer 2022 | TBD | Fall 2022 | Audrey Vasek | 360-664-1758 |

**Cannabis Related Rule Development Agenda
January 1 - June 30, 2022**

| RCW/ SESSION LAW | RULE TITLE/ DESCRIPTION | CR-101 | CR-101 WSR# | CR-102 | CR-102 WSR# | CR-103 | CONTACT | PHONE |
|-------------------------------------|---|-------------|----------------|------------------------|----------------|-----------------------|---------------|--------------|
| 69.50.342 69.50.345 | WAC 314-55-101 Quality assurance sampling protocols, 314-55-102 Quality assurance testing, and 314-55-1025 Proficiency testing. LCB proposes amendments to current marijuana product testing standards to require pesticide testing for all marijuana produced, processed, and sold in Washington state, and randomized or investigation driven testing of marijuana for heavy metals. | 8/8/18 | 18-17-041 | 12/8/21 | 22-01-055 | 3/2/22 | Jeff Kildahl | 360-664-1780 |
| 69.50.335 69.50.336 69.50.342 | Chapter 314-55 WAC concerning social equity in cannabis. LCB is considering new rules in response to future recommendations of the social equity in cannabis task force, and changes to current rule that will reduce barriers to entry in the legal cannabis market. Additional rules specifically related to this topic may be amended or created as necessary to accomplish the overarching goal of this project. | 10/27/21 | 21-22-042 | 4/13/22 (Tentative) | TBD | 6/8/22 (Tentative) | Kathy Hoffman | 360-664-1622 |
| 69.50.342 69.50.345 | WAC 314-55-108 Pesticide action levels. LCB is considering amending WAC 314-55-108 to update information related to pesticide action levels of marijuana products | 2/2/22 | TBD | 3/30/22 | TBD | 5/25/22 | Jeff Kildahl | 360-664-1780 |
| 2022 Session law | Cannabis-related legislation passed during the 2022 legislative session requiring rule development. | Spring 2022 | TBD | Fall 2022 | TBD | Winter 2022 | Jeff Kildahl | 360-664-1780 |

**General Rule Development Agenda
January 1 - June 30, 2022**

| RCW/ SESSION LAW | RULE TITLE/ DESCRIPTION | CR-101 | CR-101 WSR# | CR-102 | CR-102 WSR# | CR-103 | CONTACT | PHONE |
|------------------------|---|--------|----------------|---------|----------------|---------|---------------------------------|------------------------------|
| 66.08.030 | Electronic service of certain notices. LCB is considering amending rule sections in chapters 314-07, 314-09, 314-029, 314-42 WAC, and other related rules as may be required to allow LCB to serve certain legal notices electronically. LCB is also considering amending rules in these chapters to allow LCB to accept documents related to license applications and appeals through electronic submission. | 2/2/22 | TBD | 3/30/22 | TBD | 5/25/22 | Robert DeSpain/ Jeff Kildahl | 360-664-1758 360-664-1781 |

WSR 22-04-068

AGENDA

PUBLIC DISCLOSURE COMMISSION

[Filed January 28, 2022, 4:15 p.m.]

Rules Development Agenda for January through July 2022

The commission must prepare a biannual rules development agenda that includes the agency's anticipated rule making for the upcoming period. RCW 34.05.314. Agendas are due by January 31 and July 31 each year to be submitted to the code reviser for publication in the Washington State Register. Staff proposes the commission consider the following for inclusion in the rules development agenda for the period from January through July 2022:

- Implementation of the public disclosure commission (PDC) request legislation HB 1919, chapter 390-24 WAC. PDC has proposed legislation in the 2022 session that improves the clarity of required [disclosure] in the personal financial affairs statement by reorganizing the required disclosure into general categories and requiring PDC to establish rules for the specific information within each category. If the bill is enacted, PDC will adopt rules that specify and explain the required disclosures.
- Adjustments to the inflationary index, chapters 20 and 24 WAC. Under RCW 42.17A.125, the commission must periodically consider whether to revise the values set for contribution limits, reporting thresholds, and code values, in reference to any economic changes reflected by the inflationary index. Such revisions must be adopted in rules. The period for consideration is between every two and five years. The current values will be evaluated and considered for possible adjustments in rule.

Action requested: Staff requests the commission adopt the attached rules development agenda for submission to the Washington State Register.

Sean Flynn
General Counsel

WSR 22-04-069

POLICY STATEMENT

DEPARTMENT OF HEALTH

[Filed January 28, 2022, 5:11 p.m.]

NOTICE OF ADOPTION OF A POLICY STATEMENT

Title of Policy Statement: Temporary Use of Ambulance Services and EMS Providers to Transport Decedent Remains within Hospital Systems. Policy Number: EMS 21-03.

Issuing Entity: Department of health, office of community health systems.

Subject Matter: Temporary use of ambulance services and EMS providers to transport decedent remains within hospital systems.

Effective Date: January 28, 2022.

Contact Person: Catie Holstein, EMS section manager, catie.holstein@doh.wa.gov, 360-236-2841.

WSR 22-04-070

NOTICE OF PUBLIC MEETINGS

GRAYS HARBOR COLLEGE

[Filed January 31, 2022, 8:03 a.m.]

The following is the 2022 meeting schedule for the Grays Harbor College board of trustees:

| | |
|-----------------------|-----------|
| Tuesday, January 18 | 1:00 p.m. |
| Tuesday, February 15 | 1:00 p.m. |
| Tuesday, March 15 | 1:00 p.m. |
| Tuesday, April 19 | 1:00 p.m. |
| Tuesday, May 17 | 1:00 p.m. |
| Tuesday, June 21 | 1:00 p.m. |
| Tuesday, July 19 | 1:00 p.m. |
| Tuesday, August 16 | 1:00 p.m. |
| Tuesday, September 20 | 1:00 p.m. |
| Tuesday, October 18 | 1:00 p.m. |
| Tuesday, November 15 | 1:00 p.m. |
| Tuesday, December 20 | 1:00 p.m. |

Until further notice, all meetings will be [on] HyFlex (in person or Zoom).

WSR 22-04-075

NOTICE OF PUBLIC MEETINGS

HEALTH CARE AUTHORITY

(Children and Youth Behavioral Health Work Group)

[Filed January 31, 2022, 8:22 a.m.]

Following is a schedule of 2022 meetings for the children and youth behavioral health work group (CYBHWG):

| Date | Time | Location |
|--------------------|----------------|--|
| April 19, 2022 | 1 to 4 p.m. | Check website for details (see below). |
| June 10, 2022 | 9 a.m. to noon | Check website for details (see below). |
| August 9, 2022 | 1 to 4 p.m. | Check website for details (see below). |
| September 15, 2022 | 1 to 5 p.m. | Check website for details (see below). |
| October 10, 2022 | 1 to 5 p.m. | Check website for details (see below). |
| November 17, 2022 | 1 to 4 p.m. | Check website for details (see below). |

If you need further information, contact Cynthia Wiek, 360-725-5322, cybhwg@hca.wa.gov, <https://www.hca.wa.gov>. Search for: cybhwg.

WSR 22-04-076

AGENDA

DEPARTMENT OF

ENTERPRISE SERVICES

[Filed January 31, 2022, 8:48 a.m.]

Following is the department of enterprise services' semi-annual rules development agenda for publication in the Washington State Register. This list identifies rules under active development and rules that the agency anticipates starting some rule-making action on during the next six months.

This agenda also is available on our rule-making website. We update rule-making information on our website as rule making progresses. If we start rule-making activities not listed on this agenda or stop listed rule-making activities, we immediately post that information to our rule-making website and inform interested and known affected parties.

Jack Zeigler is available if you have questions about this agenda, email jack.zeigler@des.wa.gov.

Semi-Annual Rule-Making Agenda
January 1 through June 30, 2022

| WAC Citation | Purpose of Rule Making | Current Activity Approximate Filing Date |
|---|--|--|
| Chapter 200-110 WAC, Self-insurance requirements as to local governments | Amend rule to: <ul style="list-style-type: none"> • Align with statutory changes placing health insurance for school employees under the oversight of the newly formed school employees benefits board. • Align with recent changes to other self-insurance rules addressing solvency requirements and independent audit requirements. | While work was paused due to the impacts of the pandemic, work has restarted and key stakeholders reengaged. A prenotice of inquiry (CR-101) was filed in January 2022. After working with anyone interested in participating in the rule changes, we anticipate filing proposed rules (CR-102) in early summer. |
| Chapter 200-100 WAC, Self-insurance requirements as to local governments | Amend rule to: <ul style="list-style-type: none"> • Allow the pilotage commission to self-insure through the local government risk pool. This change is restricted to liability coverage only. • Provide improved understanding of the rules relative to reserve levels. This clarification change will not change rule requirements. | While work was paused due to the impacts of the pandemic, work has restarted. We anticipate filing a prenotice of inquiry (CR-101) in February. |
| Chapter 200-220 WAC, Use of the public areas of the capitol buildings and grounds | Amend rule to: <ul style="list-style-type: none"> • Align rules with current practices. • Make rules easier to understand and apply. • Address changing needs of the capitol campus. • Align with new legislation. Effective May 13, 2021, SB 5038 prohibits open carry of certain weapons at the state capitol in Olympia. The law applies to all buildings on campus, state legislative offices, any public legislative hearing or meeting, and west capitol campus grounds. | We anticipate filing a prenotice of inquiry (CR-101) with the office of the code reviser in early spring. |

Jack Zeigler
Rules and Policy Manager

WSR 22-04-077

AGENDA

PROFESSIONAL EDUCATOR
STANDARDS BOARD

[Filed January 31, 2022, 10:05 a.m.]

Title 181 WAC
Semi-Annual Rule-Making Agenda for
January to July 2022

Listed below is the professional educator standards board, Title 181 WAC, semi-annual rules development agenda for publication in the Washington State Register. This list identifies rules that we have under active development and rules that the agency anticipates beginning action on during the next six months.

Current information on our rule-making activity is available on our website. As circumstances warrant, there may be additional rule-making activity not on this agenda. That information will be posted on our website.

Sophia Keskey is available if you have questions about this agenda, email sophia.keskey@k12.wa.us, phone 360-890-5814.

| WAC Citation | Subject Matter of the Rule | Activity |
|---|---|---|
| 181-82-120 | Amend WAC to correct a citation and refer to the correct section of WAC. | CR-103P is anticipated in February 2022. |
| 181-85-033 181-85-202 181-79A-244 181-82A-210 181-82A-212 181-78A-232 181-78A-236 | Amends WAC to align with SB [ESSB] 5044, which asks the professional educator standards board to develop and implement the cultural competency, diversity, equity, and inclusion standards for preparation, continuing education, and other training. | CR-102 is anticipated in February 2022. CR-103P is anticipated in March 2022. |
| 181-79A-132 | Amend WAC to decouple the dual endorsement requirements for special education and early childhood education. | CR-101 is anticipated in February 2022. CR-102 is anticipated in March 2022. CR-103P is anticipated in May 2022. |
| 181-78A-027 181-79A-228 | Amend WAC to extend existing pandemic supports that address COVID-19 related challenges for educator preparation programs and their candidates. | CR-102 is anticipated in March 2022. The second filing of emergency rule is anticipated April 2022. CR-103P is anticipated in May 2022. |

| WAC Citation | Subject Matter of the Rule | Activity |
|----------------------------|---|--|
| 181-82A-202 181-82A-208 | Amend WAC to adopt an equivalent content knowledge assessment for out-of-state candidates seeking the teacher of the visually impaired endorsement. | CR-102 is anticipated in March 2022. CR-103P is anticipated in May 2022. |

Sophia Keskey
Rules Coordinator

WSR 22-04-078
NOTICE OF PUBLIC MEETINGS
COUNTY ROAD
ADMINISTRATION BOARD

[Filed January 31, 2022, 10:14 a.m.]

MEETING April 21, 2022
NOTICE: County Road Administration Board
2404 Chandler Court S.W.
Suite 240
Olympia, WA 98502
Zoom attendance available
1:00 to 5:00 p.m.
Possible executive session

MEETING April 22, 2022
NOTICE: County Road Administration Board
2404 Chandler Court S.W.
Suite 240
Olympia, WA 98502
Zoom attendance available
8:30 a.m. - noon
Possible executive session

* Individuals requiring reasonable accommodation may request written materials in alternative formats, sign language interpreters, physical accessibility accommodations, or other reasonable accommodation, by contacting Jason Bergquist at 360-753-5989.

Hearing and speech impaired persons call 1-800-833-6384.
For questions, please call 360-753-5989.

WSR 22-04-079

AGENDA

DEPARTMENT OF

LABOR AND INDUSTRIES

[Filed January 31, 2022, 10:22 a.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 [22-05](#) issue of the Register.

WSR 22-04-080
NOTICE OF PUBLIC MEETINGS
HIGHLINE COLLEGE

[Filed January 31, 2022, 10:23 a.m.]

Pursuant to RCW 42.30.075, the Highline College board of trustees' regular meetings for the 2022 calendar year will be held as follows:

| DATE | |
|-------------------|------------|
| January 13, 2022 | |
| February 3, 2022 | |
| March 10, 2022 | |
| April 14, 2022 | |
| May 12, 2022 | |
| June 9, 2022 | |
| July 14, 2022 | |
| August | No meeting |
| September 8, 2022 | |
| October 13, 2022 | |
| November 3, 2022 | |
| December 8, 2022 | |

During the COVID-19 pandemic, meetings are scheduled to take place via Zoom.

For further information regarding the 2022 board of trustees meetings, or general information regarding the Highline College board of trustees, please contact Danielle K. Slota at 206-592-3600.

WSR 22-04-088
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF COMMERCE
 (Broadband Office)
 [Filed January 31, 2022, 3:04 p.m.]

Following is the schedule of regular meetings for the Washington state broadband office, digital equity forum in 2022:

| Date | Time | Location |
|--------------|------------------|--|
| April 7 | 1:00 - 4:00 p.m. | Meetings will be held virtually on Zoom. Details can be found at project website [contact agency for URL]. |
| June 9 | 1:00 - 4:00 p.m. | Meetings will be held virtually on Zoom. Details can be found at project website [contact agency for URL]. |
| September 15 | 1:00 - 4:00 p.m. | Meetings will be held virtually on Zoom. Details can be found at project website [contact agency for URL]. |
| October 20 | 1:00 - 4:00 p.m. | Meetings will be held virtually on Zoom. Details can be found at project website [contact agency for URL]. |
| November 10 | 1:00 - 4:00 p.m. | Meetings will be held virtually on Zoom. Details can be found at project website [contact agency for URL]. |

If you need further information, contact Devin Gombosky, 1011 Plum Street S.E., Olympia, WA, 360-688-3472, devin.gombosky@commerce.wa.gov, Digital Equity Forum - Washington State Department of Commerce.

WSR 22-04-094

AGENDA

DEPARTMENT OF ECOLOGY

[Filed February 1, 2022, 9:54 a.m.]

Rule Agenda
January - June 2022

| Administrative Order Number | WAC Chapter | Date of filing CR-101 | Date of filing CR-102 | Date of filing CR-103 | Rule-Making Lead |
|-----------------------------|--|-----------------------|-----------------------|------------------------|------------------|
| Open Rule Making | | | | | |
| 21-07 | Chapter 173-441 WAC, Reporting emissions of greenhouse gases (GHG reporting) | July 7, 2021 | October 6, 2021 | Est. February 9, 2022 | Rachel Assink |
| 21-04 | Chapter 173-424 WAC, Clean fuels program rule; and chapter 173-445 WAC, Air quality fees | July 20, 2021 | Est. June 2022 | Est. November 30, 2022 | Debebe Dererie |
| 20-04 | Chapter 173-423 WAC, Low emission vehicles; and chapter 173-400 WAC, General regulations for air pollution sources | Not applicable | June 23, 2021 | January 18, 2022 | Elena Guilfoil |
| 20-02 | Chapter 173-445 WAC, Greenhouse gas assessment for projects | April 21, 2020 | Est. Summer 2022 | Est. Fall 2022 | Diane Butorac |
| 19-05 | Chapter 173-201A WAC, Water quality standards for surface waters of the state of Washington (salmon spawning habitat) | December 2, 2019 | October 18, 2021 | Est. March 9, 2022 | Marla Koberstein |
| 18-09 | Chapter 173-340 WAC, Model Toxics Control Act | December 20, 2018 | Est. Fall 2022 | Est. Spring 2023 | Clint Stanovsky |
| 21-06 | Chapter 173-446 WAC, Climate Commitment Act program | Est. August 2021 | Est. Spring 2022 | Est. October 2022 | Nikki Harris |
| 21-08 | Chapter 173-455 WAC, Air quality fee rule—New source review | June 22, 2021 | Est. June 2022 | Est. November 2022 | Jason Alberich |
| 21-02 | Chapter 173-443 WAC, Fluorinated gases; and chapter 173-455 WAC, Air quality fee rule | August 16, 2021 | Est. July 2023 | Est. December 2023 | Linda Kildahl |
| 21-05 | Chapter 173-446A WAC, Criteria for emissions—Intensive, trade-exposed industries | June 22, 2021 | December 22, 2021 | Est. June 1, 2022 | Katie Wolt |
| 21-09 | Post-consumer plastic recycled content, new chapter 173-925 WAC | November 3, 2021 | Est. July 2023 | Est. December 31, 2023 | Shannon Jones |
| 22-01 | Chapter 173-180 WAC, Facility oil handling standards; and chapter 173-184 WAC, Vessel oil transfer advance notice and containment requirements | August 3, 2021 | Est. December 2022 | Est. June 2023 | Kim Morley |
| 21-01 | Safer products Washington, new chapter 173-337 WAC | November 17, 2021 | Est. December 2022 | Est. June 1, 2023 | Stacey Callaway |

| Administrative Order Number | WAC Chapter | Date of filing CR-101 | Date of filing CR-102 | Date of filing CR-103 | Rule-Making Lead |
|-----------------------------|--|-----------------------|---|-----------------------|------------------|
| 21-12 | Low emission vehicles, chapters 173-423 and 173-400 WAC | January 18, 2022 | Est. Summer 2022 | Est. December 2022 | Elena Guilfoil |
| Exploratory Rule Making | | | | | |
| 17-03 | Chapter 173-340 WAC, Model Toxics Control Act—Cleanup | Not applicable | Not applicable | Not applicable | Clint Stanovsky |
| xx-xx | Chapter 173-460 WAC, Controls for new sources of toxic air pollutants | On hold | Not applicable | Not applicable | Elena Guilfoil |
| On Hold Rule Making | | | | | |
| 19-01 | Chapter 173-201A WAC, water quality standards for surface waters of the state of Washington (variances) | June 12, 2019 | TBD | TBD | Marla Koberstein |
| 15-12 | Chapter 173-333 WAC, Chemical action plans (formerly PBT) | October 12, 2015 | On hold | On hold | Anne Knapp |
| 15-11 | Chapter 173-331 WAC, Vehicle battery recycling program | December 2, 2015 | On hold | On hold | Kyle Dorsey |
| 05-03 | Chapter 173-525 WAC, Grays Elochoman instream resources protection and water management program WRIA 25 | March 2, 2005 | April 19, 2010 Continuance filed June 16, 2010 Expired November 1, 2010 On hold | On hold | Dave Christensen |
| 05-04 | Chapter 173-526 WAC, Cowlitz instream resources protection and water management program WRIA 26 | March 2, 2005 | April 19, 2010 Continuance filed June 16, 2010 Expired November 1, 2010 On hold | On hold | Dave Christensen |
| 05-02 | Chapter 173-503A WAC, Samish River subbasin instream resources protection program, lower and upper Skagit water resources inventory area (WRIAs 3 and 4) | February 15, 2005 | On hold indefinitely | On hold indefinitely | Dave Christensen |

WSR 22-04-097

NOTICE OF PUBLIC MEETINGS

WASHINGTON STATE UNIVERSITY

[Filed February 1, 2022, 10:35 a.m.]

This is notification that the date of the Washington State University board of regents meeting scheduled for June 9-10, 2022, has been changed. The June meeting of the board will be held on June 6-7 in Spokane, Washington.

Inquiries about the meeting can be directed to the WSU president's office, 509-335-4200.

WSR 22-04-101

DEPARTMENT OF ECOLOGY

[Filed February 1, 2022, 11:08 a.m.]

PUBLIC NOTICE

Announcing the Draft Bridge and Ferry Terminal Washing General Permit and Fact Sheet for Review and Comment

The Washington state department of ecology (ecology) proposes to reissue the **Bridge and Ferry Terminal Washing** National Pollutant Discharge Elimination System General Permit (permit). The current permit was last issued in June of 2017 and is scheduled to expire at the end of July 2022. The revised draft permit and fact sheet, which explains the legal and technical basis for the permit, are available for review and public comment from **February 16, 2022, through April 1, 2022, at 11:59 p.m.** Ecology will host an informational workshop and a public hearing on the draft permit.

Purpose of the Permit: The permit provides coverage for the regular maintenance cleaning, preparatory washing, and painting of bridge and ferry terminals and associated over-water metal structures, over waters of the state. Under federal and state water quality laws (Federal Clean Water Act and State Water Pollution Control Act), a permit is required for the discharge of these wastewaters. Washington state department of transportation and local jurisdictions that clean for bridge inspections and perform maintenance to prolong the integrity and safety of these structures and that discharge wastewater either directly or indirectly to waters of the state must obtain permit authorization for their discharge.

Applying for Coverage under the Permit: Facilities that have already applied for coverage by January 31, 2022, and are covered under the existing permit, are covered under the new permit. New or unpermitted facilities may obtain coverage under the permit by submitting a complete permit application to ecology and satisfying all applicable public notice and State Environmental Policy Act requirements (WAC 173-226-200). Access to the application is available at <https://ecology.wa.gov/bridgewashingpermit>.

Copies of the Draft Permit and Fact Sheet: The draft permit and fact sheet are available online at <https://ecology.wa.gov/bridgewashingpermit> by end of day on **February 16, 2022**. You may also request copies from Matthew Tietjen at 360-407-6401 or by email at matthew.tietjen@ecy.wa.gov.

Submitting Written Comments: Ecology will accept written comments on the draft permit and fact sheet from **February 16, 2022, through April 1, 2022, by 11:59 p.m.** Ecology prefers online comment submission via the eComment form (link below) on the permit web page. Written comments by mail must be postmarked by April 1, 2022. Comments should reference specific permit text when possible.

Online eComment form: <https://wq.ecology.commentinput.com/?id=HNEK3> (preferred).

By mail: Send to Foroozan Labib, Washington State Department of Ecology, P.O. Box 47696, Olympia, WA 98504-7696.

Assistance for Persons with Disabilities: To request ADA accommodation for disabilities, call ecology at 360-407-7285 or visit <https://ecology.wa.gov/accessibility>. People with impaired hearing may call Washington relay service at 711. People with speech disability may call TTY at 877-833-6341.

Public Workshop(s) and Hearing(s): The purpose of the workshop is to explain the general permit and to answer questions prior to the formal public hearing. The purpose of the hearing is to provide an opportunity for people to give formal oral testimony and written comments on the proposed draft permit. Oral testimony will receive the same consideration as written comments. The public hearing will begin immediately following the public workshop and will conclude when public testimony is complete.

The Bridge and Ferry Terminal Washing workshop and hearing will occur online on March 24, 2022, at **1:00 p.m.**, webinar*. Find webinar information here <https://ecology.wa.gov/bridgewashingpermit>.

*Webinars allow individuals to view the presentation and provide testimony via computer or mobile device. *Ecology is not currently offering in-person hearings due to COVID-19 safety concerns.*

Issuing the Permit: After ecology receives and considers all public comments, we will make a final decision on permit issuance. Ecology expects to make a decision on the general permit in June 2022.

Ecology Contact: Foroozan Labib, Washington State Department of Ecology, P.O. Box 47696, Olympia, WA 98504-7696, phone 360-407-6439, email foroozan.labib@ecy.wa.gov.

WSR 22-04-109

NOTICE OF PUBLIC MEETINGS

WASHINGTON STATE UNIVERSITY

(WSU International Development)

[Filed February 1, 2022, 1:54 p.m.]

Following is the schedule of 2022 meetings for the board of directors of WSU International Development, a nonprofit corporation affiliated with Washington State University:

| Date | Time | Location |
|---|-----------|--|
| Regular Meeting Wednesday, March 23, 2022 | 1:00 p.m. | Via Zoom, Zoom link to be made available. |
| Annual Meeting Thursday, September 15, 2022 | 2:00 p.m. | Via Zoom, Zoom link to be made available. |

For further information, contact Jami Capps at jami.capps@wsu.edu.

WSR 22-04-110
RULES COORDINATOR
DEPARTMENT OF
RETIREMENT SYSTEMS

[Filed February 1, 2022, 1:56 p.m.]

Pursuant to RCW 34.05.312, the rules coordinator for the department of retirement systems is Rubi Reaume, P.O. Box 48380, WA 98504, phone 360-664-7311, fax 360-753-3166, email drs.rules@drs.wa.gov.

Mark Feldhausen
for Tracy Guerin
Director

WSR 22-04-111

NOTICE OF PUBLIC MEETINGS
JOINT LEGISLATIVE AUDIT
AND REVIEW COMMITTEE

(Citizen Commission for Performance Measurement of Tax Preferences)
[Filed February 1, 2022, 3:49 p.m.]

Following is the schedule of regular meetings for the citizen commission for performance measurements of tax preferences for 2022:

| Date | Time | Location |
|-------------------|------------------|---------------------------|
| May 4, 2022 | 10 a.m. - 2 p.m. | Virtual |
| August 2, 2022 | 10 a.m. - 2 p.m. | Location to be determined |
| September 8, 2022 | 10 a.m. - 2 p.m. | Location to be determined |
| October 18, 2022 | 10 a.m. - 2 p.m. | Location to be determined |

If you need further information, contact Joint Legislative Audit and Review Committee, 106 11th Avenue N.W., Suite 2500, P.O. Box 40910, Olympia, WA 98504, 360-786-5171, jlarc@leg.wa.gov, jlarc.leg.wa.gov.

WSR 22-04-112
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
[Filed February 1, 2022, 5:29 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 (DSHS).

Economic Services Administration
Division of Child Support (DCS)

Document Title: DCS Admin Policy 8.00: Travel Regulations.

Subject: DCS AP 8.00.

Effective Date: January 28, 2022.

Document Description: DCS administrative policy emphasizes certain items pertaining to travel in DSHS travel policy and the office of financial management state administrative and accounting manual.

To receive a copy of the interpretive or policy statements, contact Rachel Shaddox, DCS, P.O. Box 11520, Tacoma, WA 98411-5520, phone 360-664-5073, TDD/TTY 360-753-9122, fax 360-586-3274, email Rachel.Shaddox@dshs.wa.gov, website <http://www.dshs.wa.gov/dcs/>.

WSR 22-04-115

AGENDA

**NOXIOUS WEED
CONTROL BOARD**

[Filed February 2, 2022, 11:02 a.m.]

Following is the state noxious weed control board's semi-annual rules development agenda for the period of January 1 through June 30, 2022. This document is being sent to you in compliance with RCW 34.05.314.

The board may undertake additional rule-making activity as conditions warrant. If you have any questions, please contact Mary Fee at 360-902-2053 or MFee@agr.wa.gov.

**Semi-Annual Rules Agenda
January 1 - June 30, 2022
P.O. Box 42560
Olympia, WA 98504-2560**

| WAC Number | Rule Title | Agency Contact | CR-101 | Tentative Timeline CR-102 | CR-103 | Subject of Rule Making |
|-------------------|--|--|---------------|--------------------------------------|---------------|---|
| 16-750 | State noxious weed list and schedule of monetary penalties | Mary Fee Executive Secretary Phone 360-902-2053 | June | September | November | Possible changes to the noxious weed lists and state weed board bylaws. |

Mary Fee
Executive Secretary