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CITATION

Cite all material in the Washington State Register by its issue number and sequence within that issue, preceded by the acronym WSR. Example: The 37th item in the August 5, 1981, Register would be cited as WSR 81-15-037.

PUBLIC INSPECTION OF DOCUMENTS

A copy of each document filed with the code reviser's office, pursuant to chapter 34.05 RCW, is available for public inspection during normal office hours. The code reviser's office is located on the ground floor of the Legislative Building in Olympia. Office hours are from 8 a.m. to 5 p.m. Monday through Friday, except legal holidays. Telephone inquiries concerning material in the Register or the Washington Administrative Code (WAC) may be made by calling (206) 753-7470 (SCAN 234-7470).

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CERTIFICATE

Pursuant to RCW 34.08.040, the publication of rules or other information in this issue of the Washington State Register is hereby certified to be a true and correct copy of such rules or other information, except that headings of public meeting notices have been edited for uniformity of style.

DENNIS W. COOPER
Code Reviser

STATE MAXIMUM INTEREST RATE

The maximum allowable interest rate applicable for the month of June 1990 pursuant to RCW 19.52.020 is twelve point zero three percent (12.03%).

NOTICE: FEDERAL LAW PERMITS FEDERALLY INSURED FINANCIAL INSTITUTIONS IN THE STATE TO CHARGE THE HIGHEST RATE OF INTEREST THAT MAY BE CHARGED BY ANY FINANCIAL INSTITUTION IN THE STATE. THE MAXIMUM ALLOWABLE RATE OF INTEREST SET FORTH ABOVE MAY NOT APPLY TO A PARTICULAR TRANSACTION.

The maximum allowable retail installment contract service charge applicable for calendar year 1990 pursuant to RCW 63.14.130(1)(a) is fourteen and one-half percent (14.50%).

The maximum allowable retail installment contract service charge for the purchase of a motor vehicle pursuant to RCW 63.14.130(2)(a) is fourteen point two five percent (14.25%) for the third calendar quarter of 1990.

The maximum allowable retail installment contract service charge for the purchase of a vessel pursuant to RCW 63.14.130(3)(a) is fourteen point two five percent (14.25%) for the second calendar quarter of 1990.

WASHINGTON STATE REGISTER

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The Washington State Register is an official publication of the state of Washington. It contains proposed, emergency, and permanently adopted administrative rules, as well as other documents filed with the code reviser's office pursuant to RCW 34.08.020 and 42.30.075. Publication of any material in the Washington State Register is deemed to be official notice of such information.

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STYLE AND FORMAT OF THE WASHINGTON STATE REGISTER

1. ARRANGEMENT OF THE REGISTER

Documents are arranged within each issue of the Register according to the order in which they are filed in the code reviser's office during the pertinent filing period. The three part number in the heading distinctively identifies each document, and the last part of the number indicates the filing sequence within an issue's material.

2. PROPOSED, ADOPTED, AND EMERGENCY RULES OF STATE AGENCIES AND INSTITUTIONS OF HIGHER EDUCATION

The three types of rule-making actions taken under the Administrative Procedure Act (chapter 34.05 RCW) may be distinguished by the size and style of type in which they appear.

- (a) **Proposed rules** are those rules pending permanent adoption by an agency and are set forth in eight point type.
- (b) **Adopted rules** have been permanently adopted and are set forth in ten point type.
- (c) **Emergency rules** have been adopted on an emergency basis and are set forth in ten point oblique type.

3. PRINTING STYLE—INDICATION OF NEW OR DELETED MATERIAL

RCW 34.05.395 requires the use of certain marks to indicate amendments to existing agency rules. This style quickly and graphically portrays the current changes to existing rules as follows:

- (a) In amendatory sections—
 - (i) underlined material is new material;
 - (ii) ~~deleted material is ((lined out and bracketed between double parentheses))~~;
- (b) Complete new sections are prefaced by the heading NEW SECTION;
- (c) The repeal of an entire section is shown by listing its WAC section number and caption under the heading REPEALER.

4. EXECUTIVE ORDERS, COURT RULES, NOTICES OF PUBLIC MEETINGS

Material contained in the Register other than rule-making actions taken under the APA does not necessarily conform to the style and format conventions described above. The headings of these other types of material have been edited for uniformity of style; otherwise the items are shown as nearly as possible in the form submitted to the code reviser's office.

5. EFFECTIVE DATE OF RULES

- (a) Permanently adopted agency rules normally take effect thirty days after the rules and the agency order adopting them are filed with the code reviser's office. This effective date may be delayed or advanced and such an effective date will be noted in the promulgation statement preceding the text of the rule.
- (b) Emergency rules take effect upon filing with the code reviser's office unless a later date is provided by the agency. They remain effective for a maximum of one-hundred-twenty days from the date of filing.
- (c) Rules of the state Supreme Court generally contain an effective date clause in the order adopting the rules.

6. EDITORIAL CORRECTIONS

Material inserted by the code reviser's office for purposes of clarification or correction or to show the source or history of a document is enclosed in [brackets].

7. INDEX AND TABLES

A combined subject matter and agency index and a table of WAC sections affected may be found at the end of each issue.

1989 – 1990

DATES FOR REGISTER CLOSING, DISTRIBUTION, AND FIRST AGENCY ACTION

Issue No.	Closing Dates ¹			Distribution Date	First Agency Hearing Date ³
	Non-OTS & 30 p. or more	Non-OTS & 11 to 29 p.	OTS ² or 10 p. max. Non-OTS		
For Inclusion in—	File no later than—			Count 20 days from—	For hearing on or after
89-14	Jun 7	Jun 21	Jul 5	Jul 19	Aug 8
89-15	Jun 21	Jul 5	Jul 19	Aug 2	Aug 22
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89-17	Jul 26	Aug 9	Aug 23	Sep 6	Sep 26
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¹All documents are due at the code reviser's office by 5:00 p.m. on or before the applicable closing date for inclusion in a particular issue of the Register; see WAC 1-21-040.

²A filing of any length will be accepted on the closing dates of this column if it has been prepared and completed by the order typing service (OTS) of the code reviser's office; see WAC 1-21-040. Agency-typed material is subject to a ten page limit for these dates; longer agency-typed material is subject to the earlier non-OTS dates.

³At least twenty days before the rule-making hearing, the agency shall cause notice of the hearing to be published in the Register; see RCW 34.05.320(1). These dates represent the twentieth day after the distribution date of the applicable Register.

WSR 90-11-064
PERMANENT RULES
DEPARTMENT OF WILDLIFE
(Wildlife Commission)
 [Order 440—Filed May 15, 1990, 4:27 p.m.]

Date of Adoption: March 23, 1990.

Purpose: To establish 1990 Mountain goat, sheep, moose, cougar, and lynx hunting seasons.

Citation of Existing Rules Affected by this Order: Repealing WAC 232-28-811.

Statutory Authority for Adoption: RCW 77.12.040.

Pursuant to notice filed as WSR 90-04-105 on February 7, 1990.

Changes Other than Editing from Proposed to Adopted Version: The adopted version of WAC 232-28-812 differs from the proposed version filed with the Code Reviser in the following respects: The mountain goat hunting permit level in Goat Unit 6-1 (Elwha River) increased from three to five. Preliminary hunter survey data indicated a need to reduce permits. More complete data indicates five permits should be issued; several options were identified for cougar pursuit-only seasons. The commission selected option "a" which states Sept. 1-30 and Nov. 21-Jan. 15, 1991, in the cat units listed below, except closed to hound hunting in Walla Walla and Columbia counties outside of Umatilla National Forest Sept. 1-Oct. 12; the cougar permit level in Cougar Unit 8 (Nooksack) increased from five to ten. Preliminary reports indicated we may exceed harvest objectives. Review of more complete reports indicated no reduction is necessary; and the cougar permit level in Cougar Unit 12 (Rainier) increased from five to seven. Preliminary data indicated the need for a more restrictive season. Review of more complete data indicated the reduction was not necessary.

Effective Date of Rule: Thirty-one days after filing.

May 14, 1990

John C. McGlenn

Chairman, Wildlife Commission

Signed by Ray Ryan, Deputy Director
per permission of John McGlenn

NEW SECTION

WAC 232-28-812 1990 MOUNTAIN GOAT, SHEEP, MOOSE, COUGAR, AND LYNX HUNTING SEASONS

PERMIT APPLICATION INSTRUCTIONS

You must have a valid hunting license to apply for any special hunting season permit.

Application Cards: Application must be made on special application cards which may be secured without charge at any license dealer or Department of Wildlife office. A check or money order made payable to "Department of Wildlife" must accompany all applications. Mail application and check to Olympia address shown below. Applicants for goat, sheep, and moose who are not selected will receive a refund of the application fee less five dollars. If hunters apply on a partnership application, the

fee for both hunters must be submitted with the application card. If a partnership application is drawn, both hunters will receive a permit and both hunters can take an animal. If the check does not clear or if no check or money order is received, the application will be eliminated from the drawing. Applications for cougar and lynx require a two dollar application fee. The same person may apply for sheep, goat, moose, cougar and lynx permits provided they are eligible as specified below.

Application Deadline: Applications must be postmarked no later than July 5, 1990, or received not later than 5:00 p.m., July 5, 1990, at the Washington Department of Wildlife, 600 Capitol Way N, Olympia, WA 98501-1091, or any Department of Wildlife Regional Office.

Computer Drawing: Drawings for goat, bighorn sheep, moose, cougar and lynx will be done by computer selection. All applicants will be notified by August 10, 1990.

Sheep Hunter Orientation: Each hunter who draws a bighorn sheep permit must attend an orientation session before receiving a permit. Permit holders will be notified of Hunter Orientation locations and dates.

Disqualification: Anyone who submits more than one application for each species will be disqualified for drawings for that species.

Incomplete Applications: To be eligible for the permit drawing, applications must contain unit number and name, date of birth, hunting license number, complete name and address including zip code.

Permit Hunting Report: A hunting report will be sent to each permittee. This report must be returned to the Department of Wildlife within ten days after the close of the hunting season.

Cougar Skull, Pelt, and Tooth Requirement: Successful cougar permittees must present the unfrozen pelt and skull of cougar to a state wildlife agent for tagging and tooth extraction within five days of kill.

MOOSE

Open Season: Oct. 1 to Nov. 30, 1990 both dates inclusive.

Who may apply: Anyone with a 1990 Washington hunting license. Only one moose permit will be issued during an individual's lifetime.

Bag Limit: One moose of either sex.

Moose Unit 1

Selkirk Mountain Area:

5 Special Moose Permits will be issued.

Open Area:

Pend Oreille County, east of the Pend Oreille River.

Moose Unit 2

Mt. Spokane:

1 Special Moose Permit will be issued.

Open Area:

Spokane County.

MOUNTAIN SHEEP (BIGHORN)

Open Season: Separate seasons are indicated for each bighorn sheep unit.

Who may apply: Anyone with a valid 1990 Washington hunting license; EXCEPT those who drew bighorn permits during 1985, 1986, 1987, 1988 or 1989.

Bag Limit for Permit Holders: One bighorn ram.

Any Legal Weapon**Sheep Unit 1****Okanogan:**

Open Season: Sept. 8-30, 1990, both dates inclusive.

1 Special Permit will be issued.

Open Area:

Okanogan County west of the Okanogan River.

Sheep Unit 2**Vulcan Mountain Area:**

Open Season: Sept. 22-Oct. 7, 1990 both dates inclusive.

2 Special Permits will be issued.

Open Area:

Ferry County north of the Kettle River.

Sheep Unit 3**Tucannon River Area:**

Open Season: Sept. 8-30, 1990, both dates inclusive.

1 Special Permit will be issued.

Open Area:

The Tucannon River drainage in Columbia and Garfield counties.

Sheep Unit 9**Blackbutte:**

Open Season: Sept. 1-18, 1990, both dates inclusive.

2 Special Permits will be issued.

Open Area:

That part of Asotin County within the following described boundary: all of GMU 184 (Joseph), 185 (Blackbutte), and that part of GMU 181 (Couze)* that drains into the Grande Ronde River between the mouth of said river and State Highway No. 129. *Note: Most of GMU 181 is privately owned land. Field Springs State Park is closed to hunting.

Sheep Unit 10**Mt. Hull:**

Open Season: Sept. 8-30, 1990, both dates inclusive.

1 Special Permit will be issued.

Open Area:

That part of Okanogan County within the following described boundary: Beginning at Oroville; then south along Highway 97 to the Swanson's Mill Road (old Mt. Hull Road) near Lake Andrews, then east to the Dry Gulch Road; then north to the Molson Grade Road; then west to Oroville and the point of beginning.

Sheep Unit 11**Wenaha Wilderness:**

Open Season: Sept. 8-30, 1990, both dates inclusive

1 Special Permit will be issued.

Open Area:

The Crooked Creek drainage in Asotin, Garfield, and Columbia Counties within the boundary of GMU 169.

Muzzleloading Sheep Hunt**Sheep Unit 5****Umtanum Area:**

Open Season: Sept. 22-30, 1990, both dates inclusive.

1 Special Permit will be issued.

Open Area:

That part of Yakima County north of Wenas Creek and that part of Kittitas County south of Interstate Highway 90.

Archery Sheep Hunt**Sheep Unit 6****Murray Area:**

Open Season: Nov. 10-25, 1990, both dates inclusive.

4 Special Permits will be issued.

Open Area:

That part of Yakima County north of Wenas Creek and that part of Kittitas County south of Interstate Highway 90.

MOUNTAIN GOAT

Open Season: Sept. 22 to Oct. 31, 1990, both dates inclusive, in all goat units.

Who may apply: Anyone with a valid 1990 Washington hunting license; EXCEPT those who drew goat permits in 1985, 1986, 1987, 1988, or 1989.

Bag Limit: One (1) adult goat of either sex with horns four (4) inches or longer. The Department of Wildlife urges hunters to refrain from shooting nannies with kids.

Any Legal Weapon**Goat Unit 2-1****Mount Chopaka Area:**

3 Special Permits will be issued.

Open Area:

Okanogan County within the following described boundary: Beginning where the Similkameen River crosses the Canadian boundary near Mt. Chopaka; then south down said river and up Palmer Lake and Sinlahekin Creek to Toats Coulee Creek; then west up said creek and north up the North Fork Toats Coulee Creek to Snowshoe Mountain and the Canadian boundary; then east along the Canadian boundary to the Similkameen River and point of beginning; EXCEPT CLOSED in Township 39 North, Range 25EWM, which includes Grandview Mountain.

Goat Unit 3-1**East Stevens Pass:**

5 Special Permits will be issued.

Open Area:

Chelan County within the following described boundary: Beginning at Stevens Pass; then north along the Cascades Summit to Cady Pass and the source of the Little Wenatchee River; then down the Little Wenatchee River, Lake Wenatchee and the Wenatchee River to U.S. Highway No. 2; then north and west along U.S. Highway No. 2 to Stevens Pass and point of beginning EXCEPT those lands within 1/2 mile of Alpine Lookout.

Goat Unit 3-2

North Wenatchee Mountains Area:

5 Special Permits will be issued.

Open Area:

Chelan County south of the Stevens Pass Highway, west of the Blewett Pass Highway, and north of Ingalls Creek, AND Kittitas County north of the following described line: Beginning at Ingalls Peak; then down Fortune Creek to the Cle Elum River; then up the Cle Elum River to the Cascade Summit at Deception Pass.

Goat Unit 3-4

Snoqualmie:

5 Special Permits will be issued.

Open Area:

Kittitas County within the following described boundary: Beginning at Snoqualmie Pass; then north along the Cascade Crest to Deception Pass and the headwaters of the Cle Elum River; then south along the Cle Elum River to the Trail Creek Trail #1322; then southwest along the Trail Creek Trail to the Waptus River Trail #1310; then southeast along the Waptus River Trail to the Cle Elum River at the Salmon la Sac Campground; then south along the Cle Elum River to the Cooper Pass Road (USFS #4600); then west along the Cooper Pass Road, through Cooper Pass to the road end near the Kachess River; then south along the Kachess River and Kachess Lake to Interstate Highway 90; then west along Interstate Highway 90 to Snoqualmie Pass and point of beginning.

Goat Unit 3-6

Naches Pass Area:

8 Special Permits will be issued.

Open Area:

Yakima and Kittitas counties within the following described boundary: Beginning at Chinook Pass; then north along the Pacific Crest Trail to Naches Pass; then east to Forest Road 19 and continuing to SR 410; then west along SR 410 to Chinook Pass and point of beginning.

Goat Unit 3-7

Bumping River Area:

5 Special Permits will be issued.

Open Area:

Yakima County within the following described boundary: Beginning at White Pass and the Pacific Crest Trail; then north to Forest Trail 980; then north to Forest Road 18; then north to SR 410; then east to SR 12; then west along SR 12 and back to point of beginning; EXCEPT Timberwolf Mountain, which is closed.

Goat Unit 3-9

Tieton River Area:

5 Special Permits will be issued.

Open Area:*

Yakima County within the following described boundary: Beginning at White Pass and Pacific Crest Trail; then south to the Yakima Indian Reservation boundary; then east to Forest Road 1137; then west to Forest Road 1000; then north to Forest Road 12; then north to SR 12; then west on SR 12 to point of beginning.

*Boundary change 1990

Goat Unit 4-1

Ruth Creek Area:

10 Special Permits will be issued.

Open Area:

Whatcom County within the following described boundary: Beginning on the Nooksack River at the range line between Ranges 6 and 7 E.W.M.; north along said range line to the Canadian Border; then east along the Canadian line to the boundary of the North Cascades National Park; then south and west along the Park boundary to the northwest corner of Sec. 22 T39N R9E; then west to White Salmon Road #3920; then west along the White Salmon Road to the Mt. Baker Highway; then northwest along the Mt. Baker Highway to the North Fork Nooksack River; then west along the North Fork of the Nooksack River to the range line between Ranges 6 & 7 E.W.M. and the point of beginning.

Goat Unit 4-3

Chowder Ridge Area:

2 Special Permits will be issued.

Open Area:

Whatcom County within the following described boundary: Beginning where Wells Creek intersects the North Fork Nooksack River; then up Wells Creek to Bar Creek; then southwest up Bar Creek to the Mazama Glacier; then continue southwest up Mazama Glacier to the summit of Mt. Baker; then northwest between Roosevelt Glacier and Coleman Glacier to Kulshan Cabin and the headwaters of Kulshan Creek and Grouse Creek to Smith Creek; then north down Smith Creek to Glacier Creek; continue north down Glacier Creek to the North Fork Nooksack River, then east along the North Fork Nooksack River to Wells Creek and the point of beginning.

Goat Unit 4-4

Lincoln Peak Area:

2 Special Permits will be issued.

Open Area:

Whatcom County within the following described boundary: Beginning where Glacier Creek intersects with the Mt. Baker Highway (No. 547); then south up Glacier Creek to Smith Creek; then south up Smith Creek to Grouse Creek; then continue up Grouse Creek in a south direction to Kulshan Creek; then southeast up Kulshan Creek to Kulshan Cabin; then continue southeast between Roosevelt Glacier and Coleman Glacier to the summit of Mt. Baker; then south down Eastern Glacier to Baker Pass and the Baker Pass Trail No. 603 (5,000 ft.); then west along Baker Pass Trail No. 603 to the Ridley Creek Trail (No. 690); then northwest on the Ridley Creek Trail to Ridley Creek; then down Ridley Creek to the Middle Fork Nooksack River; then west down the Middle Fork Nooksack River to the Mosquito Lake Road; then north on the Mosquito Lake Road to the Mt. Baker Highway (542); then north and east on Mt. Baker Highway to Glacier Creek and the point of beginning.

Goat Unit 4-6

Dillard Creek Area:

5 Special Permits will be issued.

Open Area:

Whatcom County within the following described boundary: Beginning at the intersection of U.S.F.S. Road No. 3725 and the Baker Lake Road (No. 394); then west along U.S.F.S. Road No. 3725 to Sulphur Creek; then northwest up Sulphur Creek to the Baker Pass Trail (No. 603) to Baker Pass (5,000 ft. elevation); then northeast up Eastern Glacier to the summit of Mt. Baker; then southeast down Park Glacier to the headwaters of Park Creek; then continue southeast down Park Creek to the Baker Lake Road (No. 394); then south along the Baker Lake Road (No. 394) to the U.S.F.S. Road No. 3725 and the point of beginning.

Goat Unit 4-7

Avalanche Gorge Area:

5 Special Permits will be issued.

Open Area:

Whatcom County within the following described boundary: Beginning at the intersection of the Baker Lake Road (No. 394) and Park Creek; then northwest up Park Creek to Park Glacier; then continue northwest up Park Glacier to the summit of Mt. Baker; then northeast down Mazama Glacier to the 6,500 ft. elevation; then east to the Portals; then continue east along ridgeline to Coleman Pinnacle; then northeast along the Kamp Kiser Trail No. 683 (Ptarmigan Ridge) to the extreme southeast extension of Kulshan Ridge; then due east to the Lake Ann Trail No. 600; then east along the Lake Ann Trail No. 600 to the boundary of the North Cascades National Park; then south and east along the Park boundary to the Baker River and down the Baker River to the Baker Lake Road (No. 394); then west along the Baker Lake Road (No. 394) to Park Creek and the point of beginning.

Goat Unit 4-8

East Ross Lake Area:

10 Special Permits will be issued.

Open Area:

Whatcom County within the following described boundary: Beginning at the point the U.S.-Canada boundary meets the east boundary of the North Cascades National Park; then south along the Park boundary to Stetattle Creek; then south down Stetattle Creek to Gorge Lake; then southwest along Gorge Lake to Highway No. 20; then east and north along Highway No. 20 to Ross Dam; then north along the east shoreline of Ross Lake (Note: Exclude Ruby Arm) to Devil's Creek; then east up Devil's Creek to a tributary extending south to ridge line between Jerry Lakes and a pinnacle of Jack Mountain (7292 ft. elevation); continue south over this ridge line into the Crater Creek Basin and Crater Creek; then down Crater Creek to its confluence with Ruby Creek; then east up Ruby Creek to Granite Creek; then continue east up Granite to the Cascades Summit; then north along the Cascades Summit to the U.S.-Canada boundary; then west along the Canadian line to the east boundary of the North Cascades National Park and the point of beginning. (Notice: Jack Mountain not included in GMU No. 4-8 (East Ross Lake Area) See Unit Description 4-9 (Jack Mountain Area).

Goat Unit 4-9

Jack Mountain Area:

2 Special Permits will be issued.

Open Area:

Whatcom County within the following described boundary: Beginning at the confluence of Ruby Creek and Crater Creek; then north up Crater Creek to the ridge line between Jerry Lakes and a pinnacle of Jack Mtn. (7292 ft. elev.); continue due north to Devil's Creek; then west down Devil's Creek to Ross Lake; then south along the east shoreline of Ross Lake to Ruby Arm; then easterly up Ruby Arm and Ruby Creek to the confluence of Crater Creek and the point of beginning.

Goat Unit 4-10

Majestic Mountain Area:

5 Special Permits will be issued.

Open Area:

Whatcom and Skagit counties within the following described boundary: Beginning at the intersection of Pyramid Creek and Highway No. 20; then south up Pyramid Creek to the North Cascades National Park boundary; then east along the Park boundary to the Cascades Summit; then north along the Cascades Summit to Granite Creek; then west down Granite Creek to Ruby Creek and Ruby Arm, then continue west along Ruby Arm to Ross Lake and Ross Dam; then southwest from Ross Dam to Highway No. 20; then southwest and northwest along Highway No. 20 to Pyramid Creek and the point of beginning.

Goat Unit 4-12

Mt. Tommy Thompson Area:

3 Special Permits will be issued.

Open Area:

Skagit county within the following described boundary: Beginning at the confluence of Illabot Creek on the Skagit River; then east up Illabot Creek to its headwaters; then continue east over the ridgeline to the northern-most extension of Buck Creek; then north over the ridgeline at 6,921 foot elevation to the southern-most extension of Muchler Creek; then northeast down Muchler Creek to Kindy Creek; then north down Kindy Creek to the Cascade River; then north and west down the Cascade River to the Skagit River; then west down the Skagit River to Illabot Creek and the point of beginning.

Goat Unit 4-14

Mt. Buckindy Area:

3 Special Permits will be issued.

Open Area:

Skagit and Snohomish counties within the following described boundary: Beginning at the confluence of Buck Creek on the Suiattle River; then east up the Suiattle River to Sulphur Creek; then continue east up Sulphur Creek to Dome Creek; then north to Sinister Mountain and the Cascades Summit; then north along the Cascades Summit to Mt. Formidable; continue north into the headwaters at the Middle Fork Cascade River; then west down the Middle Fork Cascade River to the main Cascade River; continue west along the Cascade River to Kindy Creek; then south up Kindy Creek to Muchler Creek; then southwest up Muchler Creek to its

southern-most extension; then continue southwest over the ridgetop at 6,921 foot elevation to the northern-most extension of Buck Creek; then continue southwest down Buck Creek to the Suiattle River and the point of beginning.

Goat Unit 4-16

Glacier Peak Area:

5 Special Permits will be issued.

Open Area:

Snohomish County within the following described boundary: Beginning at Tenpeak Mountain on the Cascades Crest; then northeast to three lakes (approximately 1.75 miles northeast of Tenpeak Mountain); then north and west down the Suiattle River to Mill Creek; then up the Mill Creek Trail (No. 790) and the Pacific Crest Trail (No. 2000) to Mica Lake, Fire Creek Pass, and Glacier Creek; continuing down Glacier Creek to the White Chuck River; then up the White Chuck River to White Mountain at the Cascade Crest, then northeast along said crest to Tenpeak Mountain and the point of beginning.

Goat Unit 4-30

Tolt River Area:

3 Special Permits will be issued.

Open Area:

King and Snohomish counties within the following described boundary: Beginning at the point the Tolt River intersects the Weyerhaeuser Mainline Truck Road (approximately one mile west of the Tolt River South Fork Reservoir); then north along said road to the junction with State Highway 2; then east along said highway to the junction with the South Fork Skykomish River; then east and south up said river to the confluence of Money Creek; then west up Money Creek to Lake Elizabeth; then west to the headwaters of the South Fork Tolt River near Lake Elizabeth; then west down the South Fork Tolt River to the point of beginning.**

**Except Closed: All of the Mount Index and Mount Persis as follows: Beginning at confluence of South Fork Skykomish River and Index Creek; then west up said creek and its northern fork to Ink Lake; then west up the ridge to the 4915 elevation point; then southwest down the ridge (approximately one and one-half miles) to the confluence of Titacaed Creek and the North Fork Tolt River; then west along said river to the Weyerhaeuser Mainline Truck Road; then north along said road to State Highway 2; then east along said highway to where it intersects the South Fork Skykomish River; then east along said river to the point of beginning.

Goat Unit 4-32

Foss River Area:

10 Special Permits will be issued.

Open Area:

King and Snohomish counties within the following described boundary: Beginning at intersection of State Highway 2 and the King County line at Stevens Pass; then south along the King County line to the headwaters of the Middle Fork Snoqualmie River near Dutch Miller Gap; then west and south down said river to the confluence with the Dingford Creek; then north and east up

said creek to its headwaters intersection with U.S.F.S. Trail #1005; then north up said trail to Little Myrtle Lake; then west and north to Marlene Lake (approximately 4 mile); then north down the stream outlet from Marlene Lake to the junction with U.S.F.S. Trail #1002 near Dorothy Lake; then north along said trail to the junction with the East Fork Miller River headwaters; then north down said river to the confluence with the South Fork Skykomish River; then east up said river to the junction with State Highway 2; then east along said highway to the point of beginning.

Goat Unit 4-34

Pratt River Area:

10 Special Permits will be issued.

Open Area:

King County within the following described boundary: Beginning at the point where the Weyerhaeuser Mainline Truck Road intersects the Middle Fork Snoqualmie River (near the confluence of the North Fork and Snoqualmie Rivers); then northeast up the Middle Fork Snoqualmie to its headwaters near Dutch Miller Gap at the King County line; then south along the King County line to Snoqualmie Pass and the intersection with Interstate Highway 90 (I-90); then west along I-90 to the point nearest the Middle Fork Snoqualmie River (approximately one mile east of North Bend); then north and east up the Middle Fork Snoqualmie River and to the point of beginning. Except closed; Snoqualmie Mountain and the watersheds of Denny Creek and South Fork of the Snoqualmie above Denny Creek.

Goat Unit 5-2

Tatoosh Area:

5 Special Permits will be issued.

Open Area:

Lewis County within the following described boundary: Beginning at the junction of the southern Mount Rainier National Park boundary and State Route 123; then south along SR 123 to U.S. Highway 12; then southwest along said highway to Skate Creek Road (U.S.F.S. 52); then northwest along said road to the junction of Morse Creek Road (old road to Longmire Campground); then north along said road to the Mount Rainier National Park boundary; then east along the southern Park boundary to the point of beginning.

Goat Unit 5-4

Goat Rocks Area:

10 Special Permits will be issued.

Open Area:

Lewis County south of the White Pass Highway (U.S. 12) and east of the Johnson Creek road (U.S.F.S. 1302).

Muzzleloading Goat Hunts

Goat Unit 3-5

Cle Elum:

5 Special Permits will be issued.

Open Area:

Kittitas and Chelan counties within the following described boundary: Beginning at the point where Interstate Highway 90 crosses the Cle Elum River; then north along the Cle Elum River to Fortune Creek; then

east along Fortune Creek to Ingals Peak and the headwaters of Ingals Creek; then south and east along Ingals Creek to U.S. Highway 97; then south along Highway 97 and Highway 970 to Interstate Highway 90 at Cle Elum; then west along Interstate Highway 90 to the Cle Elum River and point of beginning.

Goat Unit 3-8

Bumping River Area:

10 Special Permits will be issued.

Open Area:*

Yakima County within the following described boundary: Beginning at White Pass and the Pacific Crest Trail; then north to Forest Trail 980; then north to Forest Road 18; then north to SR 410; then east to SR 12; then west along SR 12 and back to point of beginning; EXCEPT Timberwolf Mountain, which is closed.

Goat Unit 4-24

Sloan Peak Area:

7 Special Permits will be issued.

Open Area:

Snohomish County with the following described boundary: Beginning at the confluence of the South Fork and the North Fork of the Sauk River; then east up to the North Fork Sauk River to Sloan Creek; then south and southeast up Sloan Creek to June Mountain; then due south to U.S.F.S. Trail No. 1051; then southwest along said trail to U.S.F.S. Road No. 63; then continue southwest on said road to Silver Creek; then north up Silver Creek to Silver Lake; then north on U.S.F.S. Trail No. 708 to Glacier Creek; then west along said creek to the South Fork Sauk River; then north down the South Fork Sauk River to the confluence of the North Fork Sauk River and the point of beginning.

Goat Unit 4-25

Vesper Peak Area:

3 Special Permits will be issued.

Open Area:

Snohomish County within the following described boundary: Beginning at the Mountain Loop Highway bridge over Bear Creek (approximately three miles east of Verlot); then east up said highway to U.S.F.S. Trail No. 707; then southwest on said trail (between Sperry Peak and Morning Star Peak) to the Sultan River; then west down said river and Spada Lake to Culmback Dam; then north up unnamed creek to the Pilchuck-Sultan divide; then northwest along said divide to Ritz Creek; then northeast down Ritz Creek to the Pilchuck River; then northwest down said river to Wilson Creek; then northwest up Wilson Creek to Ashland Lakes on the Pilchuck-Stillaguamish divide; then north down Black Creek and Bear Creek drainage to the Mountain Loop Highway bridge over Bear Creek and the point of beginning.

Archery Goat Hunts

Goat Unit 3-3

Goat and Davis Mountain Area:

10 Special Permits will be issued.

Open Area:

Kittitas County west of the Cle Elum River, north of the Waptus River, and east and south of Trail Creek Trail.

Goat Unit 4-18

Sauk River Area:

4 Special Permits will be issued.

Open Area:

Snohomish County within the following described boundary: Beginning at the confluence of the Whitechuck River and Pugh Creek; then south up Pugh Creek to Round Lake; then south to USFS Trail 646; then west and south down this trail to the North Fork Sauk River; then east up said river to Sloan Creek; then up Sloan Creek to June Mountain; then due south to USFS Trail 1051; then east along said trail to the Pacific Crest Trail (2000); then north along the Pacific Crest Trail to White Mountain; then down the Whitechuck River to the confluence with Pugh Creek and the point of beginning.

Goat Unit 4-21

Liberty Mountain Area:

5 Special Permits will be issued.

Open Area:*

Snohomish County within the following described boundary: Beginning at the Boulder River bridge on the Darrington-Arlington Highway (Highway No. 530) to the town of Darrington; then east along said highway to the Darrington-Clear Creek Road (FS Road 20); then southeast along that road to the bridge over Clear Creek; then south up Clear Creek to the confluence with Helena Creek and southeast up Helena Creek to Windom Lake; then southeast over an unnamed ridge to Independence Lake and down Forest Service Trail 712 to intersection with Forest Service Road 4060; then south down said road to the South Fork Stillaguamish River; then west down said river to Canyon Creek; then northeast up Canyon Creek; North Fork Canyon Creek and Meadow Creek to Tupso Creek; then east up Tupso Creek to its easternmost point; then continue northeast to boulder River; then north down Boulder River to the bridge on Highway 530 and the point of beginning.

Goat Unit 4-23

Twin Peaks Area:

4 Special Permits will be issued.

Open Area:

Snohomish County within the following described boundary: Beginning at the intersection of Falls Creek and the Mt. Loop Highway (U.S.F.S. Road 322); then west up Falls Creek and along U.S.F.S. Trail No. 645 to U.S.F.S. Road No. 3006; then south down said road to the Mt. Loop Highway; then east and north on said highway to Falls Creek and the point of beginning.

Goat Unit 4-38

Corral Pass Area:

4 Special Permits will be issued.

Open Area:

Pierce County within the following described boundary: Beginning where Goat Creek intersects the Corral Pass Road; then southeast up Goat Creek to the Cascade Crest; then north along the Crest to U.S.F.S. Trail #1188; then northwest along said trail to U.S.F.S. Trail #1176; then north along said trail to Corral Pass; then west along Corral Pass Road to its intersection with Goat Creek and the point of beginning.

Goat Unit 6-1
 Elwha River Area:
 5 Special Permits will be issued.
 Open Area:
 Clallam and Jefferson counties outside the Olympic National Park and west of the Dungeness River.

Goat Unit 6-2
 Quilcene River Area:
 25 Special Permits will be issued.
 Open Area:
 Clallam and Jefferson counties outside the Olympic National Park, east of the Dungeness River and north of the Dosewallips River.

Goat Unit 6-3
 Hamma Hamma River Area:
 10 Special Permits will be issued.
 Open Area:
 Jefferson and Mason counties outside the Olympic National Park and south of the Dosewallips River.

COUGAR

PURSUIT-ONLY SEASON
 (Cougar may not be killed or injured.)

September 1-30 and November 21-January 15, 1991 in the cat units listed below, EXCEPT closed to hound hunting in Walla Walla and Columbia counties outside of Umatilla National Forest September 1-October 12.

SPECIAL COUGAR PERMIT SEASONS
 (Cougar may be killed by permit holders only.)

Bag Limit: One (1) cougar during the 1990-91 hunting season PROVIDED that it is unlawful to kill or possess spotted cougar kittens or adult cougar accompanied by spotted kittens.

Who May Apply: Anyone with a valid 1990 Washington hunting license may submit one (only) special permit application for cougar during the 1990-91 season. Successful cougar applicants must purchase a cougar tag by October 1, 1990. Special permits assigned to those hunters failing to purchase a cougar tag by the deadline will be redrawn and cougar tags issued to other applicants. Cougar permit hunters failing to return their cougar hunting questionnaire by January 31, 1991 will be ineligible to apply for a permit the following year.

COUGAR PERMIT SEASONS
 (Cougar may be killed by permit holders only.)

Permit Season: November 21 to January 15, 1991.

Unit	Description	Permits
1	Pend Oreille GMU 113	25
2	Colville GMUs 108, 111, 118, and 119	35
3	Republic GMUs 100, 103, 105, 200, and 206	25
4	Spokane GMUs 121 and 124	10

Unit	Description	Permits
5	Blue Mountains GMUs 145 through 185	30
6	Okanogan GMUs 203, 209-242, and 300	20
7	Wenatchee GMUs 301-368	25
8	Nooksack GMU 418	10
9	Skagit GMUs 426, 433, 440-448, and 450	5
10	Snoqualmie GMUs 455, 460, 466, 472, 490	8
11	Olympic Peninsula GMUs 601-651	25
12	Rainier GMUs 478, 484, 505, 510, 512, 514, 516 and 667	7

Game Management Unit (GMU) descriptions are printed in the 1990 Hunting Seasons and Rules pamphlet.

CANADA LYNX

PERMIT REQUIRED TO HUNT AND/OR TRAP LYNX

Bag Limit: One (1) lynx during the 1990-91 permit only harvest season as shown below, PROVIDED that it is unlawful to kill or possess lynx kittens or adult lynx accompanied by kittens. Successful lynx permittees must turn in the carcass of their lynx to a state wildlife agent when the pelt is sealed.

Who May Apply: Anyone with a valid 1990 Washington hunting license may submit one (only) special permit application for lynx during the 1990-91 season.

Note: Lynx permits for both hunting and trapping will be drawn at the same time. Persons drawn with hunting license may only hunt lynx. Persons drawn with trapping license may only trap lynx. Lynx permittees failing to return their questionnaire by January 31, 1991 will be ineligible to apply for a permit the following year.

SPECIAL LYNX PERMIT SEASON

Permit Season: November 21 to January 15, 1991
 (Lynx may be killed by permit holders only.)

Unit	Description	Permits
1	That part of Okanogan County west of the Okanogan River except closed within the following described boundary: Beginning at Okanogan, thence westerly along State Route No. 20 to Twisp; thence northerly along the Methow River to the Chewuk River; thence northerly along the Chewuk River to the Pasayten Wilderness boundary; thence easterly and northerly along same boundary to the U.S.-Canadian	2

Unit Description Permits

Date of Intended Adoption: July 13, 1990.

May 23, 1990

Leslie F. James, Director
Administrative Services
by Rosemary Carr

border; thence easterly along said border to U.S. highway No. 97; thence southerly along U.S. Highway No. 97, to Okanogan and point of beginning.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 232-28-811 1989 MOUNTAIN GOAT, SHEEP, MOOSE, COUGAR, AND LYNX HUNTING SEASONS

**WSR 90-11-124
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)**

[Filed May 23, 1990, 3:02 p.m.]

Original Notice.

Title of Rule: Chapter 388-15 WAC, Social services for families, children and adults.

Purpose: This amendment brings together all the changes which have recently occurred in the chore services program and are currently in effect.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: RCW 74.08.090.

Summary: Addition, deletions and changes have been made to all WAC sections which apply to chore services. A number of changes made to eliminate duplication, to clarify and edit existing material for more consistency and better understanding of the chore services program.

Reasons Supporting Proposal: This rule amendment is necessary to update and incorporate legislative and program changes in WAC 388-15-207 through 388-15-217 which are currently in effect.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Sam Koshi, Aging and Adult Services Administration, 753-1244.

Name of Proponent: Department of Social and Health Services, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on July 10, 1990, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop OB-33H, Olympia, Washington 98504, by July 10, 1990.

AMENDATORY SECTION (Amending Order 2852, filed 8/29/89, effective 9/29/89)

WAC 388-15-207 CHORE SERVICES FOR ADULTS—LEGAL BASIS—PURPOSE—GOALS. (1) The legal basis for the chore services program is RCW 74.08.530 through 74.08.570.

(2) The purpose of the program is to assist an eligible applicant at risk of being placed in a long-term care facility by providing allowable chore service tasks that may allow the eligible applicant to remain in or return to the eligible applicant's ~~((home whenever possible))~~ own residence.

(3) ~~((The department shall limit goals for))~~ Chore services ~~((for adults to those specified in WAC 388-15-010 (1)(b) and (d). Also see WAC 388-15-010(2)))~~ may be provided through the contracted program or the individual provider program.

AMENDATORY SECTION (Amending Order 2815, filed 6/21/89)

WAC 388-15-208 DEFINITIONS. (1) ~~((Chore services means services in performing personal care and related tasks as provided in the department's medical assistance state plan provision addressing personal care.~~

(2) ~~"Contracted program" means that method of hourly chore service delivery where the contractor is responsible for recruiting, supervising, training, and paying the chore service provider.~~

(3) ~~"Individual provider program" means that method of chore service delivery where the client employs and supervises the chore service provider. Payment is made to the client who, in turn, pays the provider.~~

(4) ~~"Attendant care" means the service provided to eligible clients receiving attendant care services before April 1, 1988:~~

(a) ~~Who need full-time care, and/or~~

(b) ~~Require assistance that cannot be scheduled with personal care tasks, e.g., toileting, ambulation, transfer, and/or~~

(c) ~~Need protective supervision when it is dangerous for a client to be left alone. Protective supervision does not include responsibilities a legal guardian should assume. The department authorizes a daily rate payment for attendant care in the individual provider program.~~

(5) ~~"Hourly care" means the service the department provides to eligible applicants needing assistance that may be scheduled with household and/or personal care tasks.~~

(6) ~~"Own-home" means the client's present or intended place of residence whether in a building rented or owned by the client or in the home of another person. The department provides chore services within the confines of the home property except for essential shopping, errands, and transportation necessary for the completion of authorized tasks.~~

(7) ~~"Client review questionnaire" means an assessment form the department uses to determine the amount and type of chore services to be provided. The department staff uses the assessment to identify, document, and score the allowable chore service needs of all eligible applicants/clients.~~

(8) ~~"Service authorization ceiling chart" means the chart indicating the maximum number of hours the department may authorize for a client's score.~~

(9) ~~"Personal care" means such tasks as meal preparation, eating, dressing, personal hygiene, specialized body care, transfer, positioning, ambulation, bathing, toileting, self-medication a client provides for himself or herself and is necessary to maintain a client in the client's own residence. The department shall not authorize sterile procedures and administering of medications by injection unless the provider of the individual provider program is a licensed health practitioner or a member of the client's immediate family.~~

(10) ~~"Shared living arrangement" means a situation where two or more adults share expenses and live together in a home of one of the adults with common facilities, such as living, cooking, and eating areas.~~

(11) ~~"At risk of institutionalization" or "at risk of residential placement" means the applicant/client meets the criteria as outlined under WAC 388-15-209 (1)(c).~~

~~(12) "High risk of residential care placement" means the applicant/client meets the criteria as outlined under WAC 388-15-209 (1)(b):~~

~~(13) "Applicant" means a person applying for chore services.~~

~~((14)) (2) "Attendant care" means the service provided to a grandparented client needing full-time care because the client:~~

~~(a) Requires personal care task assistance that cannot be scheduled, e.g., toileting, ambulation, transfer, positioning, some medication assistance; or~~

~~(b) Needs protective supervision because of confusion, forgetfulness, or lack of judgment. Protective supervision does not include responsibilities a legal guardian should assume.~~

~~(3) "Chore services" means services in performing personal care and related household assistance tasks as provided in the department's medical assistance state plan provision addressing personal care.~~

~~(4) "Client" means a person receiving chore services.~~

~~((15)) (5) "Companionship" means being with a person in the client's own home for the purpose of preventing loneliness or to accompany the client outside the home for other than basic errands, medical appointments, or laundry.~~

~~(6) "Contracted program" means that method of hourly chore service delivery where the contractor is responsible for recruiting, supervising, training, and paying the chore services provider.~~

~~(7) "Grandparented client" means a person approved for hourly household tasks before December 14, 1987, or a person approved for attendant care ((or family care)) services before April 1, 1988 provided the person was receiving the same services as of June 30, 1989.~~

~~((16)) (8) "Hourly care" means the service provided to clients needing assistance with scheduled household or personal care tasks.~~

~~(9) "Household assistance" means assistance with travel to medical services, essential shopping, laundry, housework, or wood supply as defined under WAC 388-15-820.~~

~~(10) "Individual provider program" means a method of chore service delivery where the client employs and supervises the chore services provider. Payment is made to the client who, in turn, pays the provider.~~

~~(11) "Interim assessment" means the department's assessment form used to determine the amount and type of chore services to be provided.~~

~~(12) "Own home" means the client's present or intended place of residence, whether in a building the client rents or owns or in the home of another person.~~

~~(13) "Personal care" means assistance with personal hygiene, dressing, bathing, eating, toileting, ambulation, transfer, positioning, self-medication, body care, or meal preparation. The tasks are defined under WAC 388-15-820.~~

~~(14) "Property owned or available" means property over which the applicant/client has legal right of control.~~

~~(15) "Relative" means a client's spouse, father, mother, son, or daughter.~~

~~(16) "Resources" means real or personal property owned by or available to an applicant ((at the time of application)) or a client which the department may apply toward meeting the applicant/client's requirements, either directly or by conversion into money or its equivalent.~~

~~(17) ((Property owned or available" means property over which the applicant/client has legal right of control)) "Service authorization ceiling chart" means the chart indicating the maximum number of hours the department may authorize for a client's score.~~

~~(18) ((Companionship" means being with a person in the client's own home for the purpose of preventing loneliness or to accompany the client outside the home for other than basic errands, medical appointments, or laundry.~~

~~(19) "Activities essential to daily living" means the tasks listed in the assessment)) "Shared living arrangement" means a situation where two or more adults share expenses and reside together in one of the adult's residences with common facilities, such as living, cooking, and eating areas.~~

AMENDATORY SECTION (Amending Order 2852, filed 8/29/89, effective 9/29/89)

WAC 388-15-209 ((**CHORE SERVICES — ELIGIBLE INDIVIDUALS**)) **ELIGIBILITY.** The department shall consider the following eligibility criteria when determining an applicant/client's eligibility for chore services:

(1) Service eligibility((- Adults eligible for chore services shall be):

(a) Eighteen years of age and over;

(b) At risk of placement in a long-term care facility ((placement)) as evidenced by the need for assistance with one or more personal care ((or related)) tasks ((defined)) listed in WAC ((388-15-820 as determined by completion and scoring of the assessment form)) 388-15-208(13); and

(c) ((Authorized the amount of chore services as determined by the assessment;

(d) Authorized payment for a maximum of one hundred sixteen hours per month of task-related services listed in the assessment;

(e) Authorized services and department payment only when relatives, friends, nonprofit organizations, or other persons are not available or willing to provide the service without charge;

(f) Referred to the volunteer chore service program, prior to approval of services by department paid providers when eligible for five hours per month or less of service;

(g) Referred to the volunteer chore service program, when not eligible for chore services because of income or need level or eligible for a reduced level of service because of income, where such program exists; for needed hours of service not authorized by the department)) Not eligible for Medicaid personal care or community options program entry system (COPES) services.

(2) Financial eligibility(:

(a) ((To be eligible to receive chore services, an applicant shall)) meets the financial eligibility requirements established by the department(:-);

((1b)) (3) ((An adult determined to be at high risk or at risk of being placed in a long-term care facility is eligible to receive hourly chore services provided the applicant or client)) Resource eligibility:

((1c)) (a) Has resources at or below ten thousand dollars for a one-person family or fifteen thousand dollars for a two-person family. Allow another one thousand dollars for each additional family member(:

(ii) Is not eligible for Medicaid personal care, community options program entry system services, or other duplicative payment options.

(c) Adult protective service clients determined to be at high risk or at risk of being placed in a long-term care facility are eligible to receive chore services without regard to income or resources, if these services are an integral but subordinate part of the adult protective services plan. These services shall be provided only until the situation necessitating the services has stabilized and are limited to a maximum of ninety days during any twelve-month period.

(d) An adult applicant or client with a gross income, adjusted for family size, at or below thirty percent of the state median income shall receive chore services with no reduction in hours.

(e) An adult applicant or client with a gross income over thirty percent of the state median income adjusted for family size, and determined to be at high risk or at risk of being placed in a residential care facility shall receive a reduced level of hours. The department shall determine the reduced level by:

(i) Deducting one hour of chore services for each percentage point by which the client's income exceeds thirty percent of the SMI; and

(ii) Deducting an additional hour of service for each percentage point by which the client's income exceeds fifty percent of the SMI.

(f) The department shall consider the following resources in determining the value of a client's or applicant's resources(:

((1d)) (b) Resources considered. The department shall consider the following resources when determining the value of an applicant's or client's resources:

(i) Checking accounts;

(ii) Savings accounts;

(iii) Certificates of deposit;

(iv) Money markets;

(v) Negotiable stocks and bonds;

(vi) Latest assessed value of lots or property not attached to residence;

(vii) Market value of a boat or boats, recreational vehicle or vehicles, or excess automobiles;

(viii) Liquid assets: Such as cash, gold, silver, and other items of an investment and negotiable nature;

(ix) Resources received in transfer or assignment from a spouse under WAC 388-92-043(5) are available to the applicant/client as a single-person household and subject to WAC 388-15-209 (2) ((1b); (1c);) and (3)(a) and ((1g)) (b).

((1e)) (c) Resources excluded. The department shall not consider the following resources, regardless of value, in determining the value of a client's or applicant's resources:

(i) A home and lot normal for the community where the client or applicant resides;

- (ii) Used and useful household furnishings, personal clothing, and one automobile per client;
- (iii) Personal property of great sentimental value;
- (iv) Real or personal property used by the applicant or client to earn income or for rehabilitation;
- (v) One cemetery plot for each member of the family unit;
- (vi) Cash surrender value of life insurance; or
- (vii) Payments received as restitution payments under the Civil Liberties Act of 1988 and the Aleutian and Pribiloff Island Restitution Act, P.L. 100-383.

(4) Adult protective services. Adult protective service clients at risk of being placed in a long-term care facility shall be eligible to receive chore services without regard to income or resources if these services are an integral but subordinate part of the adult protective services plan. These services shall be provided only until the situation necessitating the services has stabilized and are limited to a maximum of ninety days during any twelve-month period; and

- (5) Volunteer chore services. An applicant for chore services shall be referred to the volunteer chore service program when the applicant:
- (a) Does not meet the eligibility criteria for chore services;
 - (b) Is eligible for five hours or less per month of chore services;
 - (c) Is eligible for a reduced level of chore services because income exceeds thirty percent of the state median income; or
 - (d) Needs help with tasks that are not available in the chore services program.

AMENDATORY SECTION (Amending Order 2815, filed 6/21/89)

WAC 388-15-212 SERVICE DETERMINATIONS. (1) ((The department shall determine the need for and amount of chore services for all applicants and clients of chore services according to the score on the assessment form. The department shall perform a separate assessment for each adult)) Assessment.

(a) The purpose of assessment is to determine the applicant/client's need for chore services and the authorized hours of service.

((2)) (b) Department staff shall ((administer)) perform the assessment.

((3)) The department shall not duplicate services nor payment in multiple-client households. In households with community options program entry system (COPES) and chore services, the department shall consider the chore services client as the secondary client) (c) The department shall perform a separate assessment for each adult applying for chore services.

(d) The department shall document the assessment on a prescribed form.

((4)) (e) When administering the assessment, department staff shall take into account the applicant/client's:

- ((a)) (i) Risk of ((being placed in a residential)) long-term care facility placement;
- ((b)) (ii) Ability to perform ((activities of daily living)) personal care and related household tasks;
- ((c)) (iii) Living ((conditions)) situation; and
- ((d)) Arrangements; and
- ((e)) (iv) Availability ((and use)) of alternative resources providing needed assistance, including ((immediate)) family, ((other relatives;)) neighbors, friends, community programs, and volunteers.

((5)) The series of questions on the assessment shall document the client's need for assistance with the tasks available from the chore services program) (f) The department shall consider the chore services client the secondary client in households where community options program entry system (COPES) services or Medicaid personal care services are also authorized.

(2) Scoring.

(a) For each task listed on the assessment form, the department staff shall ((base the scoring on the following to indicate the extent of assistance the client needs from the chore services program for each task)) determine the level of assistance:

- (i) The applicant/client requires;
- (ii) Available through alternative resources; and
- (iii) Needed from the chore services program.

(b) The applicant/client's assistance needed from the chore services program is the difference between assistance required and assistance available through alternative resources. This represents the applicant/client's unmet need.

(c) The level of the applicant/client's assistance required is indicated by entering one of the following codes for each task listed on the assessment form:

(i) O = ((No service needed:)) The ((client)) applicant/client is ((either)) able to perform this task without help ((or is already receiving or could receive all the help needed from other sources:));

(ii) M = ((Minimal service needed:)) The applicant/client ((cannot)) requires a minimal amount of assistance to perform this task ((without help and needs a minimal amount of assistance from the chore services program in addition to whatever help may or may not be received from other sources:));

(iii) S = ((Substantial service needed:)) The applicant/client ((cannot)) requires a substantial amount of assistance to perform this task ((without help and needs a substantial amount of assistance from the chore services program in addition to whatever help may or may not be received from other sources:));

(iv) T = ((Total service needed:)) The applicant/client ((is completely unable)) requires total assistance to perform this task ((is not now receiving any help, and needs total assistance from the chore services program)).

((b)) The department shall award points for each task based on the degree of assistance needed from the chore services program. The number of points available for each task is set forth in subsection (6) of this section. The point total is converted into maximum allowable hours using the table set forth in subsection (7) of this section.

((6)) The department shall score the allowable chore services program tasks, as defined by the department, according to the need and frequency of services as follows:

- (a) Travel to medical services: O = 0, M = 1, S = 2, T = 3;
- (b) Essential shopping with client: O = 0, M = 5, S = 10, T = 15. When the chore service provider must perform these tasks for the client because the client is unable to go along: O = 0, M = 1, S = 3, and T = 5;

(c) Laundry: O = 0, M = 1, S = 2, and T = 3. If laundry facilities are out of the client's own residence, the department shall award additional points: O = 0, M = 3, S = 5, and T = 7;

(d) Wood supply: O = 0, M = 3, S = 5, and T = 7. Service to perform splitting/stacking/carrying wood is available only to clients who use wood as their sole source of fuel for heat and/or cooking;

(e) Housework. Housework is limited to tasks necessary to protect the client's health and safety and to those areas of the home actually used by the client, i.e., kitchen, bathroom, bedroom, living room, and dining room: O = 0, M = 1, S = 2, and T = 3;

(f) Meal preparation. Scoring is based on the preparation of three meals, as follows:

- (i) Breakfast: O = 0, M = 4, S = 7, T = 10;
- (ii) Light meal: O = 0, M = 4, S = 7, T = 10;
- (iii) Main meal: O = 0, M = 5, S = 10, T = 15;
- (g) Eating. Scoring is based on feeding three meals, as follows:
- (i) Breakfast: O = 0, M = 4, S = 7, T = 10;
- (ii) Light meal: O = 0, M = 4, S = 7, T = 10;
- (iii) Main meal: O = 0, M = 5, S = 10, T = 15;
- (h) Dressing: O = 0, M = 4, S = 7, and T = 10;
- (i) Personal hygiene: O = 0, M = 1, S = 3, and T = 5;
- (j) Specialized body care: O = 0, M = 5, S = 10, and T = 15;
- (k) Transfer: O = 0, M = 1, S = 3, and T = 5;
- (l) Positioning: O = 0, M = 1, S = 3, and T = 5;
- (m) Ambulation: O = 0, M = 4, S = 7, and T = 10;
- (n) Bathing: O = 0, M = 4, S = 7, and T = 10;
- (o) Toileting: O = 0, M = 5, S = 10, and T = 15;
- (p) Self-medication: O = 0, M = 2, S = 4, and T = 6.

(7) The department shall determine the number of hours of chore services to be authorized per month by translating the total number of points awarded on the assessment into a monthly authorization, using the following service authorization ceiling chart:

ASSESSED SCORE	CILING HOURS PER MONTH
1 - 4	5
5 - 9	8
10 - 14	11
15 - 19	14
20 - 24	18
25 - 29	21
30 - 34	24
35 - 39	28
40 - 44	31
45 - 49	34

ASSESSED SCORE	CEILING HOURS PER MONTH
50 - 54	37
55 - 59	41
60 - 64	44
65 - 69	47
70 - 74	51
75 - 79	54
80 - 84	57
85 - 89	60
90 - 94	64
95 - 99	67
100 - 104	70
105 - 109	74
110 - 114	77
115 - 119	80
120 - 124	83
125 - 129	87
130 - 134	90
135 - 139	93
140 - 144	97
145 - 149	100
150 - 154	103
155 - 159	106
160 - 164	110
165 - 169	113
170 and above	116

The department may authorize fewer hours according to the client's individual circumstances and the provisions under WAC 388-15-215(7).

(8) The client or applicant may request approval from the department to exceed the ceiling hours authorized per month, as determined in subsection (7) of this section. The department shall authorize the number of additional hours not to exceed one hundred sixteen hours per month per client in the hourly program when:

(a) There are circumstances of a demonstrated duration, frequency, or severity which require additional hours of allowable chore services to avoid adverse effects to the client's health or safety; and

(b) The need for additional hours is specific and clearly measurable; and

(c) Funds are available under provisions of WAC 388-15-214.

(9) The department shall inform all clients or applicants in writing of the process as defined in subsection (8) of this section. Clients or applicants shall have the right to request from the department approval to exceed the authorized hours as set forth in subsection (7) of this section.

(10) When the department denies a request for additional hours or approves fewer additional hours than requested, the department shall send the client or applicant a notice of the right to contest the decision pursuant to chapter 388-08 WAC. The department shall approve or deny requests within thirty days.

(11) The department may provide chore services through the individual provider program or through the contracted program, as deemed most appropriate by department policy established by the state office.)

(d) The level of assistance available is indicated by entering one of the following codes for each task listed on the assessment form:

(i) O = Alternative resources are not available for assistance;

(ii) M = Alternative resources are available for minimal assistance;

(iii) S = Alternative resources are available for substantial assistance;

(iv) T = Alternative resources are available for total assistance.

(e) The level of unmet need is indicated by entering one of the following codes for each task listed on the assessment form:

(i) O = No unmet need; the applicant/client can perform this task without help or all assistance required is available from alternative resources;

(ii) M = Minimal unmet need; the applicant/client cannot perform this task without help and needs a minimal amount of assistance from the chore services program in addition to assistance, if any, available from alternative resources;

(iii) S = Substantial unmet need; the applicant/client cannot perform this task without help and needs a substantial amount of assistance from the chore services program in addition to assistance, if any, available from alternative resources;

(iv) T = Total unmet need; the applicant/client is totally unable to perform this task and no assistance from alternative resources is available. The total need of the applicant/client shall be met through the chore services program.

(f) Points are awarded for each task based on the level of unmet need. The number of points allowable for each task are listed below:

TASK	O	M	S	T
Eating				
Breakfast	0	4	7	10
Light meal	0	4	7	10
Main meal	0	5	10	15
Toileting				
Toileting	0	5	10	15
Ambulation				
Ambulation	0	4	7	10
Transfer				
Transfer	0	1	3	5
Positioning				
Positioning	0	1	3	5
Body care				
Body care	0	5	10	15
Personal hygiene				
Personal hygiene	0	1	3	5
Dressing				
Dressing	0	4	7	10
Bathing				
Bathing	0	4	7	10
Self-medication				
Self-medication	0	2	4	6
Travel to medical services				
Travel to medical services	0	1	2	3
Essential shopping				
With client	0	5	10	15
or				
For client	0	1	3	5
Meal preparation				
Breakfast	0	4	7	10
Light meal	0	4	7	10
Main meal	0	5	10	15
Laundry				
Facilities in home	0	1	2	3
or				
Facilities out of home	0	3	5	7
Housework				
Housework	0	1	2	3
Wood supply				
Wood supply	0	3	5	7

(g) The points awarded for each task are added together to obtain the total score for the applicant/client.

(3) Ceiling hour computation.

(a) Convert the total score into maximum allowable hours per month (ceiling hours) which may be authorized.

(b) Use the service authorization ceiling chart to convert the score to ceiling hours per month:

SCORE	CEILING HOURS	SCORE	CEILING HOURS	SCORE	CEILING HOURS
1-4	5	60-64	44	120-124	83
5-9	8	65-69	47	125-129	87
10-14	11	70-74	51	130-134	90
15-19	14	75-79	54	135-139	93
20-24	18	80-84	57	140-144	97
25-29	21	85-89	60	145-149	100
30-34	24	90-94	64	150-154	103
35-39	28	95-99	67	155-159	106
40-44	31	100-104	70	160-164	110
45-49	34	105-109	74	165-169	113
50-54	37	110-114	77	170 and	
55-59	51	115-119	80	Above	116

(4) Authorization when no reduction in hours.

(a) The department may authorize the number of ceiling hours allowable for the applicant/client's score when the applicant/client has a gross income, adjusted for family size, at or below thirty percent of the state median income.

(b) The department may authorize fewer than the allowable ceiling hours when appropriate to the applicant/client's individual circumstances.

(c) The department shall inform all applicant/clients of their right to request the department to authorize more than the allowable ceiling hours based on the applicant/ client's score. The department shall grant a waiver to authorize additional hours up to the maximum of one hundred sixteen hours per month when:

(i) Circumstances of a demonstrated duration, frequency, or severity require additional chore services hours to assure the client's health or safety;

(ii) Needed additional hours are specific and clearly measurable; and

(iii) Available funds are provided under WAC 388-15-214.

(d) The department shall approve or deny requests for a waiver to exceed ceiling hours within thirty days.

(e) When a request for a waiver is denied, the department shall send the applicant/client a notice of the right to contest the department's decision under chapter 388-08 WAC.

(5) Authorization when hours are reduced.

(a) An applicant/client with a gross income, adjusted for family size, over thirty percent of the state median income, shall receive fewer than the number of ceiling hours allowable for the applicant/client's score;

(b) The department shall determine the amount of reduction to allowable ceiling hours by:

(i) Deducting one hour for each percentage point when the applicant/client's income exceeds thirty percent of the state median income; and

(ii) Deducting an additional hour for each percentage point when the applicant/client's income exceeds fifty percent of the state median income.

(c) The reduction computed under subsection (5)(b) of this section shall be subtracted from the allowable ceiling hours to obtain the maximum number of hours per month the applicant/client may be authorized.

(6) Meal allowance—IPP hourly services only. When providing meals for the chore services provider is an extra client cost, the department may authorize a payment to partially reimburse the client for the meal cost. The department shall not reimburse the costs for a spouse provider. The payment shall not exceed the department-established amount and shall be prorated by days of service.

(7) Relative providers. The department may authorize a relative to provide chore services only when the relative:

(a) Gives up paid employment of thirty hours or more per week, to give the service;

(b) Needs to take paid employment of thirty hours or more per week to meet financial needs; or

(c) Is financially eligible to receive general assistance to meet their own need.

The above criteria apply to relatives providing service to clients, including grandparented clients, in either the contracted program or the individual provider hourly program.

(8) Re-assessment.

(a) The department shall re-assess the eligibility of all chore service clients, except grandparented clients, at least every eighteen months or more often when deemed necessary because of a change in the client's condition or situation.

(b) The department shall continue, deny, or alter services to correspond with the client's present chore services need. The department shall notify the client of the right to contest denial or reduction of services.

(c) The eligibility rules as described under WAC 388-15-209 apply to re-assessment of all clients except grandparented clients.

(d) The department shall terminate chore services for an hourly personal care client when a re-assessment shows the client now needs assistance with household tasks only. This rule shall not pertain to grandparented clients receiving household tasks only.

AMENDATORY SECTION (Amending Order 2674, filed 8/17/88)

WAC 388-15-213 PAYMENT. (1) Contracted program. The department ((may)) shall pay ((for services performed by a relative, but payment to a spouse, father, mother, son, or daughter may be made only when the relative:

(a) Has to give up paid employment (more than thirty hours per week) to give the service; or

(b) Would otherwise need to take paid employment (more than thirty hours per week) to meet the relative's financial needs; or

(c) Would otherwise be financially eligible to receive general assistance to meet the relative's own need)) the contractor who pays the chore services provider.

(2) Individual provider program.

(a) The department shall pay the client who pays the chore services provider.

(b) The department shall pay an hourly wage of five dollars and fifty cents for performance of authorized chore service tasks. Payment is contingent upon documentation that services were rendered.

(c) The department shall not pay a spouse providing chore services ((to an incapacitated, eligible client)) more than the amount of a one-person standard for a continuing general assistance grant plus increases required by the legislature. Refer to WAC 388-29-100 for grant standards.

((3)) In the contracted program, the department pays the contractor who pays the chore service provider. Refer to WAC 388-15-208.

((4)) In the individual provider program, the department pays the client who pays the chore service provider. Refer to WAC 388-15-208.

(a) The department pays an hourly wage for the actual number of hours worked on all chore service tasks. The hourly wage rate shall be four dollars and seventy-six cents per hour beginning September 1, 1987, and five dollars and fifteen cents per hour beginning September 1, 1988.

(b) When providing meals for the chore service provider is an additional cost to the client, the department may make a payment to partially reimburse the cost of this expense. The department shall not reimburse such costs for a spouse provider. The payment shall not exceed an allowance established by the department and shall be prorated by days of service.

(c) The department shall pay only after the department verifies service delivery.))

AMENDATORY SECTION (Amending Order 2693, filed 9/12/88)

WAC 388-15-214 CHORE SERVICES ((MONTHLY DOLLAR LID)) BUDGET CONTROL. (1) The department shall establish a ((statewide)) monthly dollar lid ((based on the budget appropriation. The department shall impose this monthly dollar lid statewide, based on expenditure projections)) on chore service expenditures to maintain expenditures within the legislative appropriation.

(2) When expenditure projections reach the monthly dollar lid, the department shall place names of applicants for chore services on a waiting list in the order of their risk of ((residential)) placement.((:

(3) The department shall admit all those at high risk, as defined in WAC 388-15-208(12), to the program before those at risk of residential care placement, as defined in WAC 388-15-208(11).

(4) When the projected chore service monthly expenditures fall below the monthly lid, the department shall contact applicants on the waiting list in the following priority order)) in a long-term care facility. Priorities shall be as follows:

(a) Level A. Applicant((s at high risk of residential care placement needing)) needs help with ((any)) one of the following personal care tasks:

(i) ((Feeding)) Eating,

(ii) Body care,

(iii) ((Bed)) Transfer,

(iv) ((Wheelchair transfer)) Positioning, or

(v) Toileting.

(b) Level B. Applicant((s at high risk of residential care placement needing)) needs help with four ((to six)) or more other personal care tasks listed under WAC 388-15-208(13);

(c) Level C. Applicant((s at high risk of residential care placement needing)) needs help with one to three other personal care tasks.((;

(d) Level D. Applicants at risk of residential care placement needing help with five household tasks;

(e) Level E. Applicants at risk of residential care placement needing help with three or four household tasks; and

(f) Level F. Applicants at risk of residential care placement needing help with one or two household tasks)).

((5)) (3) ((In the event)) If the monthly dollar ((lid are)) lid is not sufficient to stay within the legislative appropriation ((for the chore services program)), the department may ((make further reductions using)) implement a ratable ((scale)) reduction of hours or payment for some or all chore service clients.

AMENDATORY SECTION (Amending Order 2852, filed 8/29/89, effective 9/29/89)

WAC 388-15-215 PROGRAM LIMITATION ~~((S-ON-PROGRAM))~~. (1) The department shall not ~~((pay-for))~~ authorize chore services for ~~((teaching or companionship purposes))~~:

- (a) Teaching and companionship;
 (b) Child care for working parents;
 (c) Providing nursing care; or
 (d) Developing social, behavioral, recreational, communication, or other types of skills.

(2) ~~((Chore services shall not be used for the purpose of delivering skilled nursing care or developing social, behavioral, recreational, communication, or other types of skills))~~.

(3) The department shall not provide chore services to a resident ~~((or provider in))~~ of a:

- (a) ~~((A))~~ Group home~~((;))~~;
 (b) Licensed boarding home~~((;))~~;
 (c) Congregate care facility~~((;))~~;
 (d) ~~((ate))~~ Nursing care facility~~((;))~~;
 (e) ~~((Skilled nursing facility))~~;
 (f) Hospital~~((;))~~;
 (g) ~~((g))~~ Institution~~((;))~~;
 (h) ~~((h))~~ Adult family home~~((;))~~; or
 (i) ~~((i))~~ Child foster home.

Shared living arrangements are not considered group homes.

~~((4))~~ The department shall provide chore services for the person needing and authorized to receive the service, but not for other household members unless they also meet the eligibility criteria for the service.

~~((5))~~ The department shall not provide chore services when community resources or family, neighbors, friends, or volunteers are available and willing to provide the service without charge.

~~((6))~~ (3) Chore services shall be provided only in the client's home or surrounding property except for essential shopping, travel to medical services, and laundry when there are no laundry facilities in the client's home.

(4) The department shall not pay for chore services for hourly care clients when the clients are not residing at home, for example, because of hospitalization. In an emergency, however, the department may pay for limited services to enable the client to return home.

~~((7))~~ The department shall periodically re-evaluate all approvals for additional hours. The department shall continue, deny, or alter services to correspond with the client's present chore services need. The department shall send the client a notice of the right to contest denials of service or approval of fewer service hours than previously approved.

(8) The department shall not pay for chore services for child care for working parent.

(9) The department shall terminate chore services for an hourly personal care client if, after periodic review, the client needs assistance with household tasks only.)

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending Order 2852, filed 8/29/89, effective 9/29/89)

WAC 388-15-216 GRANDPARENTED CLIENTS. (1) Continuing eligibility for hourly care chore service clients:

(a) The department may continue providing hourly chore services for ~~((those))~~ clients ~~((who were))~~ receiving assistance ~~((only))~~ with household tasks only before December 14, 1987, provided ~~((those))~~ the clients were receiving ~~((this))~~ the same services as of June 30, 1989; and

(b) The department shall perform periodic reviews to determine continuing need ~~((for))~~ and ~~((for))~~ eligibility according to the rules in effect before December 14, 1987:

(i) If a review indicates a household tasks only client~~((s))~~ needs assistance with personal care, ~~((authorize))~~ Medicaid personal care may be authorized if eligible for Medicaid funding. If not eligible for Medicaid personal care, ~~((authorize))~~ chore services shall be authorized according to the eligibility requirements for a new client~~((s))~~;

(ii) If more or less household task services are required, ~~((authorize services))~~ services may be authorized accordingly.

(2) Continuing eligibility for attendant care for adults ~~((and supervision of children))~~.

(a) The department may continue providing chore services to clients ~~((who were))~~ receiving attendant care ~~((and/or supervision of children prior to))~~ before April 1, 1988, provided ~~((those))~~ the clients were receiving the same services as of June 30, 1989.

(b) The department shall make periodic reviews to determine continuing need ~~((for))~~ and ~~((for))~~ eligibility according to the ~~((following))~~ rules ~~((which were))~~ in effect ~~((prior to))~~ before April 1, 1988:

(i) ~~((Authorize))~~ Attendant care service shall be authorized for clients receiving attendant care ~~((prior to))~~ before April 1, 1988, who continue to need assistance with such unscheduled tasks as toileting, ambulation, and transfer or who need protective supervision;

(ii) ~~((Authorize))~~ Attendant care protective supervision ~~((when persons))~~ shall be authorized for clients who may hurt themselves, others, or damage property if left alone, or are confused and may wander, or become easily disoriented;

(iii) ~~((Base))~~ The amount of service authorized shall be based on the total number of hours per day the chore services provider must be with ~~((a))~~ the client. The chore services provider performs necessary household or personal care tasks ~~((or assists with activities of daily living))~~ during the authorized attendant care hours;

(iv) ~~((Authorize supervision of children only when the client is temporarily absent from the home because of hospitalization and all possible resources have been explored to provide the necessary supervision. This absence shall not exceed two weeks during any six-month period. The number of days and the number of hours per day that the children need supervision is recorded. The chore service provider performs household and personal care tasks for the children during the hours of supervision))~~;

~~((v))~~ The client shall provide verification of the need for attendant care by producing a statement from the client's physician.

(c) The department shall pay a daily rate for attendant care for adults ~~((and supervision of children))~~. The rate shall not exceed the lesser of the following~~((;))~~:

- (i) A maximum of twenty-four dollars and fifty cents per day; or
 (ii) The amount determined by the following table ~~((as follows))~~:

DAILY RATE DETERMINATION

HOURS OF SERVICE PER DAY	PAYMENT PER DAY
21 - 24	up to \$ 24.50
16 - 20	up to \$ 22.50
12 - 15	up to \$ 20.50
8 - 11	up to \$ 17.50
4 - 7	up to \$ 12.50
1 - 3	up to \$ 8.50

The department shall add up to five dollars per day for each additional client ~~((authorized for service))~~ in the household~~((;))~~; and

~~((7))~~ (iii) The department shall reduce the amount of payment by the individual provider program hourly rate when the client's income exceeds thirty percent of the ~~((SMH))~~ state median income.

~~((ii))~~ The department shall not pay for services when the client is not in the home, for example, because of hospitalization. If necessary, however, up to seven days during the service month may be provided to enable the client to return home.)

(d) The department shall not ~~((approve a waiver or exception to policy for a rate higher than the maximum base attendant care daily rate after))~~ increase the payment in effect on June 30, 1989. ~~((The department shall not increase payment for a client who has an approved waiver and/or exception to policy as of June 30, 1989, to exceed the maximum daily rate set by the department.))~~; and

(e) ~~((When providing board and room or meals for the chore service provider is an extra cost to the client, the department may make a payment to partially reimburse the cost of this expense. The department shall not reimburse such costs for a spouse provider. The payment shall not exceed an allowance established by the department and shall be prorated by days of service.))~~

~~((f))~~ The department shall pay only after the department verifies service delivery) The department shall not pay for services when the client is not in the home, for example, because of hospitalization; except, up to seven days during the service month may be provided to enable the client to return home.

(3) Continuing eligibility for hourly family care services.

(a) Clients receiving hourly family care services before April 1, 1988, may continue to be eligible to receive services provided they were receiving the same services as of June 30, 1989.

(b) The department shall make periodic reviews to determine continuing need and ~~((for))~~ eligibility ~~((for family care services))~~ according to the ~~((following))~~ rules ~~((which were))~~ in effect ~~((prior to))~~ before April 1, 1988. Families may receive services when the client is the normal caretaker of the children, and:

- (i) Is in the home but unable to physically care for the children; or
- (ii) Is in the home and physically unable to perform the necessary household tasks; or
- (iii) Is temporarily out of the home ~~((temporarily))~~, as defined by the department; and
- (iv) The division of children and family services confirms all possible resources have been explored and no one can or will provide the necessary care.

~~((For families to receive services, the total family income shall be at or below the financial eligibility requirements established by the department. Minor children shall not be financially eligible in their own right. The minor children are part of the family unit))~~ The chore services provider may not act as a parent substitute or make major decisions affecting the children.

~~((The family care questions take into consideration the ages, number, level of responsibility of the children, and the presence of a spouse when determining the need for chore services))~~ For families to receive services, the total family income shall be at or below the department-established financial eligibility requirement. Minor children shall not be financially eligible in their own right. The minor children are part of the family unit.

~~((Determination of need for hourly care takes into consideration the ages, number and level of responsibility of the children and presence of a spouse. Allowable family care activities are:~~

- (i) Family housework ~~((determines))~~. The need for additional help cleaning the ~~((household))~~ residence because of the presence of children ~~((:));~~
- (ii) Family tasks ~~((determines))~~. The child's need for ~~((escort and transportation))~~ travel to medical services, laundry services, meal preparation ~~((and))~~, essential shopping, ~~((and))~~ bathing and dressing ~~((for the client's children))~~, or other allowable tasks;
- (iii) Supervision of children ~~((determines))~~. The need for physical supervision of the children when the client is:

- (A) In the home, but unable to ~~((supervise them))~~ provide supervision; or
- (B) Temporarily out of the home.

~~((iv))~~ (f) ~~((Score for subsection (3)(c)(i), (ii), and (iii) is))~~ Points are awarded for family care activities as follows:

- (i) O = 0 ~~((:));~~
- (ii) M = 14 ~~((:));~~
- (iii) S = 27 ~~((:));~~ and
- (iv) T = 40.

Enter ~~((the score))~~ the points awarded on the bottom of the assessment form and add to the client's total score ~~((from the scoring chart)).~~

~~((c))~~ (5) ~~((The chore services provider may not act as a parent substitute or make major decisions affecting the children))~~ Board and room meal allowances. When providing board and room or meals for the chore services provider is an extra cost to the client, the department may authorize a payment to partially reimburse the client for this expense. The department shall not reimburse the costs for a spouse provider. The payment shall not exceed the department-established amount and shall be prorated by days of service. No client shall be authorized for both a board and room allowance and a meal allowance.

(6) Ninety-day rule. Grandparented clients terminated from chore services because of transfer to another program may be re-authorized for chore services when the:

- (a) Transfer was in effect for less than ninety days; and
- (b) Client becomes ineligible for the program the client is transferred to or the program the client is transferred to does not meet the client's needs.

(7) Priority levels. Priority levels for grandparented clients are:

- (a) Level A: Client needs help with one of the following personal care tasks:
 - (i) Eating;
 - (ii) Body care;
 - (iii) Bed transfer;
 - (iv) Wheelchair transfer; or
 - (v) Toileting.
- (b) Level B: Client needs help with four or more other personal care tasks as described under WAC 388-15-208(13);

(c) Level C: Client needs help with one to three other personal care tasks;

(d) Level D: Client needs help with all five household tasks:

- (i) Travel to medical services;
- (ii) Essential shopping;
- (iii) Laundry;
- (iv) Housework; and
- (v) Wood supply.

(e) Level E: Client needs help with three or four household tasks; and

(f) Level F: Client needs help with one or two household tasks.

AMENDATORY SECTION (Amending Order 2852, filed 8/29/89, effective 9/29/89)

WAC 388-15-217 CHORE SERVICES FOR EMPLOYED DISABLED ADULTS. (1) The following definitions shall apply for purposes of this section:

- (a) "Employed" means engaged on a regular basis in any work activity for which monetary compensation is obtained.
- (b) "Total income" is the sum of an applicant's or client's unearned income plus gross earned income.

(2) Employed disabled adults shall be eligible for chore services if they are otherwise eligible under the provisions of WAC 388-15-207 through 388-15-216. The employed disabled adults shall participate in the cost of care as authorized by RCW 74.08.570.

(3) To be eligible for chore services under this section, ~~((a client))~~ an applicant or ~~((applicant))~~ client shall meet all of the following conditions:

- (a) Be in need of chore services as determined by the department using an assessment form;
- (b) Be eighteen years of age or older ~~((:));~~
- ~~((b))~~ (c) Be a resident of the state of Washington ~~((:));~~
- ~~((c))~~ (d) Be determined disabled by the department ~~((to be disabled))~~ as specified in subsection (4) of this section ~~((:));~~
- ~~((d))~~ (e) Be willing to submit to ~~((such))~~ examinations as ~~((are))~~ deemed necessary by the department to establish the extent and nature of the disability ~~((:~~

- ~~((e))~~ Be employed ~~((:));~~
- (f) Have earned income which is less than forty percent of the state median income after subtracting work expenses, the cost of chore services, and any medical expenses ~~((which are))~~ not covered through insurance or another source and ~~((such medical expenses))~~ are incurred to allow the disabled person to work ~~((:));~~

(g) ~~((Be in need of chore services as determined by the department using an assessment form:~~

~~((h))~~ Have unearned income at or below forty percent of the state median income or be an adult supplemental security income ~~((and/))~~ or state supplementation recipient ~~((:));~~

~~((h))~~ (h) Meet the resource limits specified for the chore services program in WAC 388-15-209 (2) ~~((b)(i), (f);))~~ and ~~((g:))~~ (3);

~~((j))~~ (i) Promptly report to the department, in writing, any changes in income or resources which may effect ~~((affect))~~ eligibility ~~((:));~~

~~((k))~~ (j) Agree to pay all chore service costs beyond the state's contribution as determined using a sliding fee schedule.

Percentage of State Median Income ((Income After Deductions ((:))))	Percentage of Rate Paid By ((Paid By The)) The Department
Above 0 through 5	95
Above 5 through 10	90
Above 10 through 15	85
Above 15 through 20	80
Above 20 through 25	75
Above 25 through 30	70
Above 30 through 35	65
Above 35 through 40	60

~~((k))~~ (k) Meet all other requirements for the chore services program as defined in WAC 388-15-207 through 388-15-216.

(4) For purposes of this section, an applicant is disabled if either of the following conditions is satisfied:

- (a) The department has previously determined the applicant is disabled for the purpose of receiving Social Security disability insurance (SSDI), supplemental security income (SSI) or, nongrant Medicaid,

and there has been no appreciable improvement in the applicant's disabling condition(s) since that disability determination was made.

(b) The department determined the applicant ~~((is determined by the department to have))~~ has a medically determinable physical or mental impairment ~~((which is))~~ comparable in severity to a disability ~~((which would qualify))~~ qualifying an applicant for medical assistance related to Title XVI under WAC 388-92-015 (3)(c).

(5) The department shall pay its share of chore service costs to the client following receipt of documentation that the services were provided. If the department verifies that less service is provided, in any month, than the maximum authorized, the department shall pay a prorated portion of its share of cost. The client shall employ the chore services provider and shall pay the provider the full amount due for services rendered. If the client receives services exceeding ~~((those authorized by the))~~ department-authorized services, or agrees to a rate of pay exceeding ~~((that authorized by))~~ the department-authorized rate of pay, the client shall be responsible for paying the amount exceeding the department's authorized service cost.

(6) The department shall compute an applicant/client's work-related expenses as follows:

(a) The department shall deduct work-related expenses in accordance with the "percentage method" or the "actual method," whichever is chosen by the client;

(b) If the client chooses the "percentage method," the department shall deduct twenty percent of the gross earned income;

(c) If the client chooses the "actual method," the department shall deduct the actual cost of each work-related expense. The department shall use this method only when the client provides written verification of all work-related expenses claimed((-));

(d) When determined by the "actual method," allowable work expenses shall consist of:

- (i) Child care;
- (ii) Payroll deductions required by law or as a condition of employment, in amounts actually withheld;
- (iii) The necessary cost of transportation to and from the place of employment by the most economical means, not to include rental cars; and((-));
- (iv) Expenses of employment necessary for continued employment, such as:
 - (A) Tools;
 - (B) Materials;
 - (C) Union dues;
 - (D) Transportation to service customers if not furnished or reimbursed by the employer; and
 - (E) Uniforms and clothing needed on the job but not suitable for wear away from the job.

(e) Even if verified, the department shall not count work-related expenses in excess of the applicant's gross earned income((-)); and

(f) The client shall have the option to change methods when reporting income to the appropriate department staff.

WSR 90-12-001
RULES COORDINATOR
PERSONNEL APPEALS BOARD
 [Filed May 24, 1990, 8:49 a.m.]

In accordance with RCW 34.05.310, the rules coordinator for the Personnel Appeals Board is Victoria W. Sheldon, 2828 Capitol Boulevard, Mailstop KK-11, Olympia, WA 98504, phone (206) 586-1481, 321-1481 scan, (206) 753-0139 FAX.

Walter E. White
 Chairman

WSR 90-12-002
WITHDRAWAL OF PROPOSED RULES
DEPARTMENT OF HEALTH
 [Filed May 24, 1990, 2:57 p.m.]

In WSR 90-01-130, filed December 20, 1990 [1989], the department proposed to adopt rules to establish the licensure requirements for dental hygienists. Due to suggestions from the public, substantial changes are being made and proposed rules will be refiled in the near future. Please withdraw this filing from consideration.

Pam Campbell Mead
 for Kristine Gebbie
 Secretary

WSR 90-12-003
PROCLAMATION
OFFICE OF THE GOVERNOR
 [No. 90-06]

WHEREAS, in accordance with Article II, Section 12 (Amendment 68), the 1990 First Special Session adjourned April 1, 1990, without finishing its essential tasks; and

WHEREAS, it is therefore necessary for me to convene a Second Special Session for the purpose of adequately addressing matters related to local government financing of criminal justice;

NOW, THEREFORE, I, Booth Gardner, Governor of the State of Washington, by virtue of the authority vested in me by Article II, Section 12 (Amendment 68), and Article III, Section 7 of the State Constitution, do hereby convene the Legislature of the State of Washington on Tuesday, the fifth day of June, 1990, at 11:00 A.M.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the State of Washington to be affixed at Olympia this 24th day of May, A.D., nineteen hundred and ninety.

Booth Gardner

 Governor of Washington

BY THE GOVERNOR:

Ralph Munro

 Secretary of State

WSR 90-12-004
EMERGENCY RULES
PUBLIC DISCLOSURE COMMISSION
 [Filed May 25, 1990, 11:03 a.m.]

Date of Adoption: May 22, 1990.

Purpose: Adopts an official form for lobbyist employers to report political contributions.

Statutory Authority for Adoption: RCW 42.17.370.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Law goes into effect June 6, 1990.

Effective Date of Rule: Immediately.

May 25, 1990
David R. Clark
Assistant Director

NEW SECTION

WAC 390-20-111 FORM FOR LOBBYIST EMPLOYERS REPORT OF POLITICAL CONTRIBUTIONS.
 The official form for Lobbyist Employers Report of Political Contributions as required by RCW 42.17.180 (2)(a) is designated "L-3c." Copies of this form are available at the commission office, Room 403, Evergreen Plaza Building, Olympia, Washington, 98504. Any attachments must be on 8-1/2" x 11" white paper.



EMPLOYER OF LOBBYIST CONTRIBUTION REPORT

L3c

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Employer's Name (Use Complete Company, Association, Union or Entity Name)

Mailing Address

City State Zip

Reporting Period (Month/Year During Which Contribution(s) Occurred)

Who Must File Report: Employers of lobbyists registered in Washington State making one or more contributions, including in-kind contributions, during one calendar month totalling more than \$100 to a candidate for state or local office, an elected state or local official, an officer or employee of any public agency, or a political committee. *Employer contributions made through and reported by a registered lobbyist or an employer-affiliated PAC are not reportable on an L-3c.*

What Must Be Reported: Contributions, including a loan, gift, deposit, subscription, forgiveness of indebtedness, donation, advance, pledge, payment, or transfer of anything of value, including personal and professional services for less than full consideration. Contributions to campaign accounts and public office fund accounts are reportable.

When Is The Report Filed: Within 15 days after the last day of each calendar month during which reportable contribution(s) was made. Reports are considered filed as of the post mark or hand-delivery date to PDC.

Itemize contributions that alone, or together with other contributions to the same recipient, total over \$100 during the calendar month specified above. If space provided is insufficient, use additional L-3c forms or 8-1/2" x 11" white paper.

Date of Contribution	Name and Address of Recipient	Description of Contribution*	Amount or Value*

*See reverse for details.

Certification: I certify that the information contained herein is true and complete to the best of my knowledge.

Name and title of person authorized to sign on employer's behalf (type or print) Signature Date

Description of Contribution

- Monetary** Monetary contributions are those made in cash or by check, money order or other negotiable instrument. If total in amount column represents aggregate total given that recipient during the month (i.e., more than one contribution), indicate the date and amount of each contribution figured into the total.
- For contributions given to incumbent candidates and elected officials, indicate whether the contribution is for the recipient's campaign account or public office account.
- In-Kind** Donated goods or services qualify as reportable contributions. In-kind contributions include such things as discounts on products or services, free transportation, free or reduced-rate office space, personal services, polling services, professional assistance to campaign managers and help with preparation of political advertising.

Amount or Value of Contribution

- If the aggregate amount or value contributed to one recipient (candidate, elected official, agency officer or employee, or political committee) during a calendar month was over \$100 -- and the aggregate contribution was not reported by your lobbyist on his/her monthly report or the aggregate contribution was not made through and reported by your affiliated PAC -- put the total contributed in the Amount or Value column and provide the other required information.
- In-Kind** Value in-kind contributions at the amount you actually paid for the donated item or service or, if no purchase was made, value them at their fair market value. Fair market value is the amount a well-informed buyer or lessee, willing but not obligated to buy or lease, would pay; and what a well-informed seller, or lessor, willing but not obligated to sell or lease, would accept.

**WSR 90-12-005
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)**

[Filed May 25, 1990, 2:18 p.m.]

Original Notice.

Title of Rule: Amending WAC 388-49-470.

Purpose: To implement by emergency adoption a food stamp program income exclusion.

Statutory Authority for Adoption: RCW 74.04.510.

Statute Being Implemented: RCW 74.04.510.

Summary: The department shall exclude all allowances from Job Training Partnership Act funded programs for food stamp program eligibility.

Reasons Supporting Proposal: This rule is necessary to specify by rule that certain training allowances are excluded income for food stamp program purposes.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Dan Ohlson, Division of Income Assistance, 753-1354.

Name of Proponent: Department of Social and Health Services, governmental.

Rule is necessary because of federal law, 7 CFR 273.9 (b)(1)(iii).

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on July 10, 1990, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop OB-33H, Olympia, Washington 98504, by July 10, 1990.

Date of Intended Adoption: July 13, 1990.

May 25, 1990
Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 2911, filed 12/1/89, effective 1/1/90)

WAC 388-49-470 INCOME—EXCLUSIONS. (1) The department shall exclude the following income:

(a) Money withheld from an assistance payment, earned income, or other income source used to repay a prior overpayment from that same income source;

(b) Income specifically excluded by any federal statute from consideration as income in the food stamp program;

(c) The earned income of children who are:

(i) Members of the household(;;);

(ii) Seventeen years of age or under(;;); and

(iii) Attending school at least half time.

(d) Infrequent or irregular income received during a three-month period that:

(i) Cannot be reasonably anticipated as available(;;); and

(ii) Shall not exceed thirty dollars for all household members.

(e) Loans, including those from private individuals and commercial institutions, other than educational loans where repayment is deferred;

(f) Nonrecurring lump sum payments;

(g) The cost of producing self-employment income;

(h) Financial aid received under Title IV of the Higher Education Act designated by the school for:

(i) Tuition(;;);

(ii) Fees ((f)), including equipment and material((;));

(iii) Books(;;);

(iv) Supplies(;;);

(v) Transportation(;;); and

(vi) Miscellaneous personal expenses determined by the institution.

(i) Other federal financial aid designated by the school for:

(i) Tuition(;;); and

(ii) Mandatory fees.

(j) Nonfederal financial aid designated by the school for:

(i) Tuition and mandatory fees at any school beyond high school or a school at any level for the physically or mentally handicapped; and

(ii) Other earmarked educational expenses such as transportation, supplies, and textbooks.

(k) Reimbursements for past or future expenses to the extent the reimbursements do not:

(i) Exceed the actual expense(;;); and

(ii) Represent a gain or benefit to the household.

(l) Any gain or benefit not in money;

(m) Vendor payments as defined in WAC 388-49-020;

(n) Money received and used for the care and maintenance of a third-party beneficiary who is not a household member;

(o) Supplemental payments or allowances made under federal, state, or local laws for the purpose of offsetting increased energy costs;

(p) Energy allowances included in AFDC, continuing general assistance, and refugee assistance grants.

Number in Grant Assistance Unit	Energy Exclusion
1	\$ 36
2	47
3	56
4	67
5	77
6	87
7	101
8 or more	111

(q) Support payments specified by the support court order or other legally binding written support or alimony agreement to go directly to a third-party beneficiary rather than to the household;

(r) Support payments not required by the support court order or other legally binding written support or alimony agreement paid directly to a third party rather than to the household;

(s) Payments from the individual and family grant program;

(t) Public assistance payments:

(i) Over and above the regular warrant amount; ((and))

(ii) Not normally a part of the regular warrant; and

(iii) Paid directly to a third party on behalf of the household.

(u) ((Earnings)) From ((on-the-job training programs under the)) Jobs Training Partnership Act ((by household members)) programs:

(i) ((Eighteen years of age and under)) Allowances; and

(ii) Earnings from on-the-job training by household members under parental control and eighteen years of age and younger.

(v) Cash donations based on need:

(i) Received directly by the household;

(ii) From one or more private, nonprofit, charitable organizations; and

(iii) Not exceeding three hundred dollars in any federal fiscal year quarter.

(w) Earned income credit; and

(x) Federal census bureau wages earned;

(i) During the 1990 Federal Census Demonstration Project; and

(ii) By a temporary census worker eligible for this exclusion.

(2) When a child's earnings or amount of work performed cannot be differentiated from the earnings or work performed by other household members, the department shall:

(a) Prorate the earnings equally among the working members(;;); and

(b) Exclude the child's pro rata share.

(3) When the intended beneficiaries of a single payment for care and maintenance of a third-party beneficiary include both household

members and persons not in the household, the department shall exclude:

- (a) Any identifiable portion intended and used for the care and maintenance of the person out of the household((:));₂ or
- (b) If the portions are not readily identified as:
 - (i) An even pro rata share; or
 - (ii) The amount actually used for the care and maintenance of the person out of the household, whichever is less.

WSR 90-12-006
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 2983—Filed May 25, 1990, 2:19 p.m.]

Date of Adoption: May 25, 1990.

Purpose: To implement by emergency adoption a food stamp program income exclusion.

Citation of Existing Rules Affected by this Order: Amending WAC 388-49-470 Income—Exclusions.

Statutory Authority for Adoption: RCW 74.04.510.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This rule is necessary to specify by rule that certain training allowances are excluded income for food stamp program purposes.

Effective Date of Rule: May 26, 1990, 12:01 a.m.

May 25, 1990
 Leslie F. James, Director
 Administrative Services

AMENDATORY SECTION (Amending Order 2911, filed 12/1/89, effective 1/1/90)

WAC 388-49-470 INCOME—EXCLUSIONS.

- (1) The department shall exclude the following income:
 - (a) Money withheld from an assistance payment, earned income, or other income source used to repay a prior overpayment from that same income source;
 - (b) Income specifically excluded by any federal statute from consideration as income in the food stamp program;
 - (c) The earned income of children who are:
 - (i) Members of the household((:));₂
 - (ii) Seventeen years of age or under((:));₂ and
 - (iii) Attending school at least half time.
 - (d) Infrequent or irregular income received during a three-month period that:
 - (i) Cannot be reasonably anticipated as available((:));₂ and
 - (ii) Shall not exceed thirty dollars for all household members.
 - (e) Loans, including those from private individuals and commercial institutions, other than educational loans where repayment is deferred;
 - (f) Nonrecurring lump sum payments;

- (g) The cost of producing self-employment income;
- (h) Financial aid received under Title IV of the Higher Education Act designated by the school for:
 - (i) Tuition((:));₂
 - (ii) Fees ((f));₂ including equipment and material((:));₂
 - (iii) Books((:));₂
 - (iv) Supplies((:));₂
 - (v) Transportation((:));₂ and
 - (vi) Miscellaneous personal expenses determined by the institution.
- (i) Other federal financial aid designated by the school for:
 - (i) Tuition((:));₂ and
 - (ii) Mandatory fees.
- (j) Nonfederal financial aid designated by the school for:
 - (i) Tuition and mandatory fees at any school beyond high school or a school at any level for the physically or mentally handicapped; and
 - (ii) Other earmarked educational expenses such as transportation, supplies, and textbooks.
- (k) Reimbursements for past or future expenses to the extent the reimbursements do not:
 - (i) Exceed the actual expense((:));₂ and
 - (ii) Represent a gain or benefit to the household.
- (l) Any gain or benefit not in money;
- (m) Vendor payments as defined in WAC 388-49-020;
- (n) Money received and used for the care and maintenance of a third-party beneficiary who is not a household member;
- (o) Supplemental payments or allowances made under federal, state, or local laws for the purpose of offsetting increased energy costs;
- (p) Energy allowances included in AFDC, continuing general assistance, and refugee assistance grants.

Number in Grant Assistance Unit	Energy Exclusion
1	\$ 36
2	47
3	56
4	67
5	77
6	87
7	101
8 or more	111

- (q) Support payments specified by the support court order or other legally binding written support or alimony agreement to go directly to a third-party beneficiary rather than to the household;
- (r) Support payments not required by the support court order or other legally binding written support or alimony agreement paid directly to a third party rather than to the household;
- (s) Payments from the individual and family grant program;
- (t) Public assistance payments:

(i) Over and above the regular warrant amount; ~~((and))~~

(ii) Not normally a part of the regular warrant; and

(iii) Paid directly to a third party on behalf of the household.

(u) ~~((Earnings))~~ From ~~((on-the-job training programs under the))~~ Jobs Training Partnership Act ~~((by household members))~~ programs:

(i) ~~((Eighteen years of age and under))~~ Allowances; and

(ii) Earnings from on-the-job training by household members under parental control and eighteen years of age and younger.

(v) Cash donations based on need:

(i) Received directly by the household;

(ii) From one or more private, nonprofit, charitable organizations; and

(iii) Not exceeding three hundred dollars in any federal fiscal year quarter.

(w) Earned income credit; and

(x) Federal census bureau wages earned:

(i) During the 1990 Federal Census Demonstration Project; and

(ii) By a temporary census worker eligible for this exclusion.

(2) When a child's earnings or amount of work performed cannot be differentiated from the earnings or work performed by other household members, the department shall:

(a) Prorate the earnings equally among the working members(~~;~~); and

(b) Exclude the child's pro rata share.

(3) When the intended beneficiaries of a single payment for care and maintenance of a third-party beneficiary include both household members and persons not in the household, the department shall exclude:

(a) Any identifiable portion intended and used for the care and maintenance of the person out of the household(~~;~~); or

(b) If the portions are not readily identified as:

(i) An even pro rata share; or

(ii) The amount actually used for the care and maintenance of the person out of the household, whichever is less.

Statutory Authority for Adoption: RCW 30.04.070 and 30.08.095.

Pursuant to notice filed as WSR 90-09-091 on April 18, 1990.

Effective Date of Rule: Thirty-one days after filing.

May 25, 1990

Thomas H. Oldfield

Supervisor of Banking

AMENDATORY SECTION (Amending Order 55, filed 10/3/83)

WAC 50-44-010 COLLECTION OF EXAMINATION COSTS—COLLECTION METHOD. The requirement of RCW 30.04.070 and 30.08.095 that the supervisor collect from each bank, mutual savings bank, stock savings bank, trust company, or industrial loan company, the ~~((estimated))~~ costs of ~~((examinations))~~ the division, shall be met in accordance with the procedures established in this chapter. Costs shall be recouped by the following methods: Semiannual asset charges in order to recoup nondirect bank examination related expenses (RCW 30.08.095, giving the supervisor the authority to charge for other services rendered), ((a charge for each branch office in operation;)) and an hourly charge for the estimated actual cost of examination determined by a rate specified herein times the number of hours spent by division personnel in ((specialized)) regular or extraordinary examinations. ((In addition, a special assessment will be made over the next two years to provide working capital for the banking examination fund;))

AMENDATORY SECTION (Amending Order 77, filed 4/6/89)

WAC 50-44-020 SEMIANNUAL ASSET CHARGE—ASSESSMENT. A semiannual charge for assets will be used to recoup nondirect bank examination related expenses (RCW 30.08.095). The semiannual charge for assets will be computed upon the asset value reflected in the most recent report of condition. The rate of such charge shall be as set forth in the following schedules:

(1) Commercial banks, mutual savings banks, and stock savings banks.

If the bank's total assets are:

The assessment is:

Over	But not Over	This Amount	Plus	Of Excess Over
Million	Million			Million
((0	1	\$ 500	.0000850	0
1	10	1,000	.0000850	1
10	100	1,000	.0000800	1
100	300	1,000	.0000600	1
300	500	1,000	.0000575	1
500	700	1,000	.0000538	1
700	900	1,000	.0000525	1
900	1,000	1,000	.0000500	1
1,000		1,000	.0000450	1))
0	10	\$ 25	0	0
10	20	50	0	10
20	30	75	0	20
30	40	100	0	30
40	60	100	.00000625	40
60	100	375	.000006875	60

WSR 90-12-007
PERMANENT RULES
DEPARTMENT OF
GENERAL ADMINISTRATION
(Division of Banking)

[Filed May 25, 1990, 3:03 p.m.]

Date of Adoption: May 25, 1990.

Purpose: To revise the procedure used by the Division of Banking to collect revenues for the proper operation of the examination and supervision functions of the division.

Citation of Existing Rules Affected by this Order: Amending chapter 50-44 WAC, et. seq.

Over	But not Over	This Amount	Plus	Of Excess Over
Million	Million			Million
100	150	650	.000007	100
150	200	1000	.000005	150
200	350	1250	.000025	200
350	500	5000	.00000833	350
500	750	6250	.000002	500
750	1000	6750	.00001	750
1000	—	9250	.00001065	1,000

(2) Alien banks.
If the bank's total assets are: The assessment is:

Over	But not Over	This Amount	Plus	Of Excess Over
Million	Million			Million
0	200	1,000	.0000625	†
200	300	1,000	.0000600	†
300	500	1,000	.0000575	†
500	700	1,000	.0000550	†
700	1,000	1,000	.0000500	†
1,000	—	1,000	.0000450	†))
0	50	100	.00005	0
50	100	2,600	.00007	50
100	500	6,100	.00004	100
500	750	22,100	.000035	500
750	1,000	30,850	.00003	750
1,000	—	38,350	.000025	1,000

((3)) Mutual savings banks and stock savings banks.
If the bank's total assets are: The assessment is:

Over	But not Over	This Amount	Plus	Of Excess Over
Million	Million			Million
0	100	53,000		
100	200	1,000	.0000225	†
200	500	1,000	.0000200	†
500	1,000	1,000	.0000175	†
1,000	3,000	1,000	.00001625	†
3,000	—	1,000	.0000150	†))

((4)) (3) Industrial loan companies.
If the total assets on a consolidated basis are: The assessment is:

Over	But not Over	This Amount	Plus	Of Excess Over
Million	Million			Million
0	1	\$ 250		
1	—	250	.000075	1

The supervisor's office shall forward by United States mail a notice to each financial institution showing the manner of calculating the asset charge due and a worksheet for such purposes. The notices shall be mailed with the blank June and December report of condition commencing with the ((December 1988)) June 1990 report of condition applicable to commercial, savings and alien banks and the consolidated annual report and a semiannual notice of assessment applicable to industrial loan companies. The asset charge shall be calculated by the financial institution and forwarded to the office of the supervisor of banking with the applicable report. A completed copy of the worksheet shall be included with

the assessment. An additional two hundred dollar penalty shall be assessed if the amount is not paid within the time specified.

AMENDATORY SECTION (Amending Order 62, filed 9/13/85)

WAC 50-44-030 ((~~ADDITIONAL~~)) HOURLY FEES AND CHARGES—REGULAR, INCLUDING EXTRAORDINARY EXAMINATION AND SPECIAL EXAMINATIONS((=BRANCH OFFICES)). Each bank, mutual savings bank, trust company, alien bank, or industrial loan company shall pay to the supervisor the following fees:

(1) For ((~~special~~)) regular examinations ((and reviews as determined by the supervisor, forty dollars per hour; (special)), including extraordinary examinations ((are)) for the express purpose of examining unusual conditions or circumstances, including extensions of regular examinations wherein conditions may warrant extension of time required in the examination beyond normal allotted time((;)) and such other reviews as determined by the supervisor; forty-five dollars per hour. The supervisor may charge the actual cost of examinations performed under personal service contracts by third parties.

(2) For electronic data processing examination, trust examination, or other examination requiring specialized expertise, ((forty)) fifty-five dollars per hour(;

(3) ~~For each bank branch in operation at the time of any periodic examination, seventy-five dollars;~~

(4) ~~For each industrial loan company branch in operation at the time of any periodic examination, one hundred fifty dollars).~~ Electronic data processing centers and trust companies are exempt from the asset assessment provisions of WAC 50-44-020(1) if such centers or companies are not a part of the assets of the bank as reported in the report of condition.

The supervisor shall submit a statement for the foregoing charges following the completion of any applicable examination, and the charges shall be paid not later than thirty days after submission of such statement.

NEW SECTION

WAC 50-44-050 LIMITATIONS ON ASSESSMENTS. (1) Limit on assessment. The charges assessed under WAC 50-44-020(1) relating to a semiannual asset charge in WAC 50-44-030(1) relating to the hourly examination fee, shall not exceed eighty percent of the assessment charge applicable for a two-year period of the Office of the Comptroller of the Currency ("OCC") or its successor.

(2) Determination. The total of semiannual assessments and examination fees are determined by adding the monthly average semiannual assessment and the monthly average of the examination fees for any twenty-four month period after June 1, 1990. The monthly average is determined by dividing the semiannual assessment fee by six and applying the monthly average to the previous six months. The monthly average examination fee is determined by dividing the examination fee for each examination during the averaging period by the number of months between each such examination and

the previous examination as determined by the date of the examinations and applying the monthly average to those months. The OCC charge is determined in the same manner.

(3) Rebate. The rebate is determined by the difference between the sum of the applicable monthly average state charges for the twenty-four month period minus eighty percent of the sum of the applicable monthly average OCC charge for the same period, as each are determined in subsection (2) of this section.

(4) Petition. Entitlement of the rebate shall occur only upon petition and proof to the supervisor.

(5) Rebates shall become eligible on June 1, 1992, and such eligibility shall continue for six years thereafter.

WSR 90-12-008
PERMANENT RULES
DEPARTMENT OF
GENERAL ADMINISTRATION
(Division of Banking)

[Filed May 25, 1990, 3:06 p.m.]

Date of Adoption: May 25, 1990.

Purpose: To revise the procedure used by the Division of Banking to collect revenues for the processing and investigation of applications received by the division, and other incidental services.

Citation of Existing Rules Affected by this Order:
Repealing WAC 50-12-040.

Statutory Authority for Adoption: RCW 30.08.095.

Pursuant to notice filed as WSR 90-09-090 on April 18, 1990.

Effective Date of Rule: Thirty-one days after filing.

May 25, 1990

Thomas H. Oldfield
Supervisor of Banking

NEW SECTION

WAC 50-12-045 SCHEDULE OF FEES FOR BANKS, TRUST COMPANIES, STOCK SAVINGS BANKS, MUTUAL SAVINGS BANKS, AND ALIEN BANKS. (1) The supervisor shall collect the following fees:

(a) Hourly charges for services plus actual expenses for review of application and attendant investigation for:

(i) New bank or trust company;

(ii) Conversion to a state chartered institution;

(iii) Alien bank to establish and operate an office or bureau in the state;

(iv) Certificate conferring trust powers;

(v) Branch;

(vi) A satellite facility or facilities which are to be used by its own customers or customers of another bank;

(vii) A network system of satellite facilities as defined in WAC 50-40-010(4) or modification of a previously approved network system made in accordance with WAC 50-40-060 (1) or (2);

(viii) Merger, consolidation, or reorganizational agreement;

(ix) Relocation of main office or branch;

(x) An out-of-state bank holding company acquisition and control of more than five percent of the shares of voting stock or substantially all of the assets of a bank, trust company, national banking association or bank holding company, the principal operations of which are conducted within this state;

(xi) The purchase or sale of a branch;

(xii) Voluntary or involuntary liquidation of a bank or trust company pursuant to chapter 30.44 RCW or for acting as conservator of a bank or trust company pursuant to chapter 30.46 RCW;

(xiii) Conversion from a mutual savings bank to a stock savings bank;

(xiv) Notice of change of control.

(b) Hourly charges for opinions rendered regarding interpretations of statutes and rules.

(c) \$100.00 for issuing the following certificates:

(i) Branch certificate;

(ii) Increase or decrease of capital stock certificate;

(iii) Certificate of authority;

(iv) Satellite facility;

(v) Other.

(d) \$100.00 for filing articles of incorporation, or amendments thereof, or other certificates required to be filed with the supervisor.

(e) Fifty cents per page for furnishing copies of papers filed with the supervisor.

(2) The hourly fee for services shall be \$65.00 per employee hour expended. The supervisor may require a lump sum payment in advance to cover the anticipated cost of review and investigation of the activities described in subsection (1)(a) and (b) of this section. In no event shall the lump sum payment required under this section exceed actual amounts derived in subsection (1)(a) and (b) of this section.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 50-12-040 SCHEDULE OF FEES FOR BANKS, TRUST COMPANIES, STOCK SAVINGS BANKS, MUTUAL SAVINGS BANKS, AND ALIEN BANKS.

WSR 90-12-009

PERMANENT RULES

OFFICE OF

FINANCIAL MANAGEMENT

[Order 90-71—Filed May 25, 1990, 4:35 p.m.]

I, Len McComb, director of the Office of Financial Management, do promulgate and adopt at Room 300, Insurance Building, Olympia, Washington 98504, the annexed rules relating to county indigent defense costs, new chapter 82-30 WAC.

This action is taken pursuant to Notice No. WSR 89-11-107 filed with the code reviser on May 24, 1989. These rules shall take effect thirty days after they are

filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 9.94A.175 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED May 25, 1990.

By Len McComb
Director

Chapter 82-30 WAC
COUNTY INDIGENT DEFENSE COSTS

WAC

- 82-30-010 Purpose.
- 82-30-020 Definitions.
- 82-30-030 Request for reimbursement.
- 82-30-040 Reimbursement rates.
- 82-30-050 Department financial responsibility.
- 82-30-060 Implied consent to audit.

NEW SECTION

WAC 82-30-010 PURPOSE. It is the purpose of this chapter to identify the procedures for reimbursing counties for the cost of legal defense services provided indigent offenders detained solely for violating a condition of postrelease supervision.

NEW SECTION

WAC 82-30-020 DEFINITIONS. As used in this chapter, the following words shall have the following meanings:

- (1) "Department" shall mean the department of corrections.
- (2) "Secretary" shall mean the secretary of the department of corrections or the secretary's designee.
- (3) "Director" shall mean the director of the office of financial management or the director's designee.
- (4) "Offender" shall mean a person who has committed a felony established by state law and is eighteen years of age or older or is less than eighteen years of age but whose case has been transferred by the appropriate juvenile court to a criminal court pursuant to RCW 13.40.110.
- (5) "Indigent" shall have the same meaning as set forth in chapter 10.101 RCW.

NEW SECTION

WAC 82-30-030 REQUEST FOR REIMBURSEMENT. (1) A county requesting reimbursement, under this chapter, of costs incurred in the legal defense of an indigent offender must have adopted standards for the delivery of public defense services pursuant to chapter

10.101 RCW. The county shall submit to the department a copy of such standards or an affidavit swearing that such standards have been adopted.

(2) The county shall submit to the department with its request for reimbursement an affidavit swearing that the offender has been determined by the court to be indigent pursuant to chapter 10.101 RCW.

(3) The county shall submit documentation on such forms as may be prescribed by the department indicating the offender's name, the dates service was provided, and the amount of reimbursement requested.

(4) All requests for reimbursement and required documentation shall be filed with the Administrator, Office of Contracts and Regulations, Department of Corrections, P.O. Box 9699, Olympia, Washington 98504.

(5) All such requests should be filed within thirty days after the costs for which reimbursement is requested were incurred, but in no event later than ten days after the close of the state fiscal biennium during which such costs were incurred.

NEW SECTION

WAC 82-30-040 REIMBURSEMENT RATES.

(1) Reimbursement shall be restricted to fully documented defense costs for indigent offenders.

(2) The director shall set the rate of reimbursement based on the average per case cost of all county indigent defense costs. The director shall determine to what extent, if any, reimbursement shall be reduced or eliminated because of contribution by the indigent offender receiving the services.

NEW SECTION

WAC 82-30-050 DEPARTMENT FINANCIAL RESPONSIBILITY.

(1) Defense costs of any county in connection with hearings conducted pursuant to RCW 9.94A.175 for offenders who are detained by the county solely for violating a condition of postrelease supervision shall be the financial responsibility of the department and shall be reimbursed by the department in accordance with this chapter upon receipt and verification by the department of the county's request.

(2) Such reimbursement shall be made to the extent funds allotted by the department for such purpose are available. If the costs of reimbursement to counties exceed the available funds, the secretary shall request the legislature to appropriate additional funds to enable the department to make full reimbursement.

NEW SECTION

WAC 82-30-060 IMPLIED CONSENT TO AUDIT. By submitting a request for reimbursement under this chapter, the requesting county agrees to maintain for a period of five years after the date of the request records which would support such request, and to make such records available for review or audit by the department or the director.

WSR 90-12-010
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 90-42—Filed May 25, 1990, 5:20 p.m.]

Date of Adoption: May 25, 1990.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order:

Repealing WAC 220-24-02000N.

Statutory Authority for Adoption: RCW 75.08.080.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: It is anticipated that the harvestable quota of chinook salmon will have been taken by the closure date specified in this rule. Further harvest would endanger escapement.

Effective Date of Rule: 12:01 a.m., May 28, 1990.

May 25, 1990
 James McKillip
 for Joseph R. Blum
 Director

NEW SECTION

WAC 220-24-02000P LAWFUL ACTS—TROLL FISHERY. *Notwithstanding the provisions of WAC 220-24-010, WAC 220-24-020 and WAC 220-24-030, effective 12:01 a.m. May 28, 1990 it is unlawful to fish for salmon taken for commercial purposes with troll gear in the waters west of the Bonilla-Tatoosh Line, The Pacific Ocean north of Cape Falcon and south of the U.S.-Canada border, or waters west of a line drawn true north-south through Buoy 10 at the mouth of the Columbia River.*

(1) *All salmon in possession, taken for commercial purposes with troll gear, must be sold and accounted for on a State of Washington Fish Receiving Ticket by 11:59 p.m. May 28, 1990.*

(2) *It is unlawful to transport through Coastal Salmon Management and Catch Reporting Areas 1, 2, 3, or 4 or land in the State of Washington any salmon taken for commercial purposes contrary to the provisions of WAC Chapter 220-33 or WAC Chapter 220-47 relative to seasons and species provided for in this section.*

REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. May 28, 1990:

WAC 220-24-02000N LAWFUL ACTS—TROLL FISHERY (90-41)

WSR 90-12-011
NOTICE OF PUBLIC MEETINGS
TRANSPORTATION IMPROVEMENT BOARD
 [Memorandum—May 25, 1990]

MEETING NOTICE FOR
 JUNE AND JULY 1990
 TRANSPORTATION IMPROVEMENT BOARD
 TRANSPORTATION BUILDING
 OLYMPIA, WASHINGTON 98504

Work session, 5:00 p.m., Thursday, June 14, 1990, in Wenatchee at the Chieftain Motel, 1005 North Wenatchee Avenue.

TIB meeting, 9:00 a.m., Friday, June 15, 1990, in Wenatchee at the City Council Chambers, 129 South Chelan.

TIB work session, 6:00 p.m., Thursday, July 19, 1990, in Olympia at the Governor House Hotel, 621 Capitol Way South.

TIB meeting, 9:00 a.m., Friday, July 20, 1990, in Olympia at the Transportation Commission Board Room, Transportation Building.

WSR 90-12-012
PROPOSED RULES
GREEN RIVER
COMMUNITY COLLEGE
 [Filed May 29, 1990, 2:29 p.m.]

Original Notice.

Title of Rule: Chapter 132J-108 WAC, Practice and procedure.

Purpose: To comply with APA requirements.

Statutory Authority for Adoption: RCW 28B.50.140(13), 34.05.220 and [34.05].250.

Statute Being Implemented: Chapter 34.5 [34.05] RCW.

Summary: Provides information about the organization, its operating hours and locations of educational offerings. Adopts model rules of procedure and appointment of presiding officers and adjudicative proceedings and provides adjudicative procedure information.

Reasons Supporting Proposal: To comply with APA requirements.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Clark Townsend, 12401 S.E. 320th Street, Auburn, 254-1428.

Name of Proponent: Green River Community College, public.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Implemented to comply with APA requirements, this rule provides information about the organization and operation of Green River Community College, its practices and procedures.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Board of trustees meeting, on July 19, 1990, at 4:00 p.m.

Submit Written Comments: By July 19, 1990.

Date of Intended Adoption: August 16, 1990.

May 23, 1990
Clark Townsend
Assistant to
the President

CHAPTER 132J-108 WAC
PRACTICE AND PROCEDURE

NEW SECTION

WAC 132J-108-110 **ADOPTION OF MODEL RULES OF PROCEDURE.** The model rules of procedure adopted by the chief administrative law judge pursuant to RCW 34.05.250, as now or hereafter amended, are hereby adopted for use at Green River Community College. Those rules may be found at chapter 10-08 Washington Administrative Code. Other procedural rules adopted in this title and this chapter are supplementary to the model rules of procedure. In the case of a conflict between the model rules of procedure and these procedural rules, the procedural rules adopted by this institution shall govern.

NEW SECTION

WAC 132J-108-120 **PROCEDURE FOR CLOSING PARTS OF HEARINGS.** A party may apply for a protective order to close part of a hearing. The party making the request should state the reasons for making the application to the presiding officer. If the other party opposes the request, a written response to the request shall be made within 10 days of the request to the presiding officer. The presiding officer shall determine which, if any, parts of the proceeding shall be closed, and state the reasons therefore in writing within 20 days of receiving the request. No cameras or recording devices shall be allowed in those parts of proceedings which the presiding officer has determined shall be closed.

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

NEW SECTION

WAC 132J-108-130 **APPOINTMENT OF PRESIDING OFFICERS.** The president or his/her designee shall designate a presiding officer for an adjudicative proceeding. The presiding officer shall be an administrative law judge, a member in good standing of the Washington State Bar Association, a panel of individuals, the president or his or her designee, or any combination of the above.

NEW SECTION

WAC 132J-108-140 **APPLICATION OR NOTICE OF ADJUDICATIVE PROCEEDING.** An application for an adjudicative proceeding shall be in writing. The application shall include the signature of the applicant, the nature of the matter about which an adjudicative proceeding is to be sought, and an explanation of the facts involved.

Applications shall be submitted to the following address:

Office of the President
Green River Community College
12401 S.E. 320th Street
Auburn, WA 98002

Applications for adjudicative proceedings should be submitted to the above address within 20 days of the agency action giving rise to the application, unless provided for otherwise by statute or rule.

NEW SECTION

WAC 132J-108-150 **TRANSMITTAL OF RECOMMENDED DECISIONS.** The presiding officer shall transmit a full and complete record of the proceedings and a recommended decision to the institutional official who is to enter a final or initial order after considering the record and evidence to be transmitted. The record of proceedings shall include such comments upon the demeanor of witnesses as the presiding officer deems relevant.

NEW SECTION

WAC 132J-108-160 **DISCOVERY.** Discovery in adjudicative proceedings may be permitted at the discretion of the presiding officer. In permitting discovery, the presiding officer shall make reference to the civil rules of procedure. The presiding officer shall have the power to control the frequency and nature of discovery permitted, and to order discovery conferences to discuss discovery issues.

NEW SECTION

WAC 132J-108-170 **BRIEF ADJUDICATIVE PROCEDURE.** This rule is adopted in accordance with RCW 34.05.482-494, the provisions of which are hereby adopted. Brief adjudicative procedures shall be used in all matters related to:

- (a) Residency determinations made pursuant to RCW 28B.15.013;
- (b) Appeals from traffic and parking violations;
- (c) Student conduct proceedings in which the proposed penalty is less than dismissal;
- (d) Challenges to contents of education records;
- (e) Withholding of services for outstanding debts under chapter 132J-122; and
- (f) Refund of tuition and special fees under WAC 132J-160-010 -050.

NEW SECTION

WAC 132J-108-180 **PETITIONS FOR STAY.**

**WSR 90-12-013
PERMANENT RULES
DEPARTMENT OF HEALTH
(Podiatry Board)**

[Order 060—Filed May 30, 1990, 10:18 a.m.]

Date of Adoption: May 4, 1990.

Purpose: Mandatory reporting requirements will provide the board with information on licensees whose conduct or practice may pose a threat to the public health and safety.

Statutory Authority for Adoption: RCW 18.130.170.

Other Authority: Chapter 18.22 RCW.

Pursuant to notice filed as WSR 90-06-064 on March 6, 1990.

Effective Date of Rule: Thirty-one days after filing.

May 4, 1990

N. Jerry Schlesinger, D.P.M.
Board Chairman

NEW SECTION

WAC 308-31-210 **GENERAL PROVISIONS.** (1) "Unprofessional conduct" as used in these regulations shall mean the conduct described in RCW 18.130.180.

(2) "Hospital" shall mean any health care institution licensed pursuant to chapter 70.41 RCW.

(3) "Nursing home" shall mean any health care institution which comes under chapter 18.51 RCW.

(4) "Board" shall mean the Washington state podiatry board, whose address is:

Department of Health
Professional Licensing Services
P. O. Box 1099
Olympia, WA 98507-1099

(5) "Podiatrist" shall mean a person licensed pursuant to chapter 18.22 RCW.

(6) "Mentally or physically disabled podiatrist" shall mean a podiatrist who has either been determined by a court to be mentally incompetent or mentally ill or who is unable to practice podiatry with reasonable skill and safety to patients by reason of any mental or physical condition.

NEW SECTION

WAC 308-31-220 MANDATORY REPORTING.

(1) All reports required by these regulations shall be submitted to the board as soon as possible, but no later than sixty days after a determination is made.

(2) A report should contain the following information if known:

(a) The name, address and telephone number of the person making the report.

(b) The name, address and telephone number of the podiatrist being reported.

(c) The case number of any patient whose treatment is a subject of the report.

(d) A brief description or summary of the facts which gave rise to the issuance of the report, including dates of occurrences.

(e) If court action is involved, the name of the court in which the action is filed along with the date of filing and docket number.

(f) Any further information which would aid in the evaluation of the report.

NEW SECTION

WAC 308-31-230 HEALTH CARE INSTITUTIONS. The chief administrator or executive officer of any hospital or nursing home shall report to the board when any podiatrist's services are terminated or are restricted based on a determination that the podiatrist has either committed an act or acts which may constitute unprofessional conduct or that the podiatrist may be mentally or physically impaired. Said officer shall also report if a podiatrist accepts voluntary termination or restriction of clinical privileges in lieu of formal action based upon unprofessional conduct or upon being mentally or physically impaired.

NEW SECTION

WAC 308-31-240 PODIATRIC MEDICAL ASSOCIATIONS OR SOCIETIES. The president or chief executive officer of any podiatric medical association or society within this state shall report to the board when the association or society determines that a podiatrist has committed unprofessional conduct or that a podiatrist may not be able to practice podiatry with reasonable skill and safety to patients as the result of any mental or physical condition and constitutes an apparent risk to the public health, safety or welfare. The report required by this subsection shall be made without regard to whether the license holder appeals, accepts or acts upon the determination made by the association or society. Notification of appeal shall be included.

NEW SECTION

WAC 308-31-250 HEALTH CARE SERVICE CONTRACTORS AND DISABILITY INSURANCE CARRIERS. The executive officer of every health care service contractor and disability insurer regulated under chapters 48.20, 48.21, 48.21A and 48.44 RCW, operating in the state of Washington shall report to the board all final determinations that a podiatrist may have engaged in over-utilization of services, has charged fees for services not actually provided, may have engaged in unprofessional conduct, or by reason of mental or physical impairment may be unable to practice the profession with reasonable skill and safety.

NEW SECTION

WAC 308-31-260 STATE AND FEDERAL AGENCIES. The board requests the assistance of executive officers of any state or federal program operating in the state of Washington, under which a podiatrist is employed to provide patient care services, to report to the board whenever such a podiatrist has been judged to have demonstrated his/her incompetency or negligence in the practice of podiatry, or has otherwise committed unprofessional conduct, or is mentally or physically impaired.

NEW SECTION

WAC 308-31-270 PROFESSIONAL REVIEW ORGANIZATIONS. Unless prohibited by federal law, every professional review organization operating within the state of Washington shall report to the board any determinations that a podiatrist may have engaged in unprofessional conduct, or by reason of mental or physical impairment may be unable to practice the profession with reasonable skill and safety.

NEW SECTION

WAC 308-31-280 MALPRACTICE SUIT REPORTING. Every licensed podiatrist shall, within sixty days after settlement or judgment, notify the board of any and all malpractice settlements or judgments in excess of twenty thousand dollars as a result of a claim or action for damages alleged to have been caused by a podiatrist's incompetency or negligence in the practice of podiatric medicine. Every podiatrist shall also report the settlement or judgment of three or more claims or actions for damages during a one-year period as the result of the alleged podiatrist's incompetence or negligence in the practice of podiatry regardless of the dollar amount of the settlement or judgment.

WSR 90-12-014

PERMANENT RULES

DEPARTMENT OF HEALTH

[Order 061—Filed May 30, 1990, 10:23 a.m.]

Date of Adoption: May 29, 1990.

Purpose: Chapter 248-18 WAC implements hospital licensing chapter 70.41 RCW. Over the past year, several sections were amended or repealed. Cites in various sections now inaccurate due to amendments or repeals. In addition, references to department require correction from Department of Social and Health Services to Department of Health.

Citation of Existing Rules Affected by this Order: Amending hospital licensing rules, chapter 248-18 WAC.

Statutory Authority for Adoption: Chapter 70.41 RCW.

Pursuant to notice filed as WSR 90-08-099 on April 4, 1990.

Effective Date of Rule: Thirty-one days after filing.

May 29, 1990

Pamela Campbell Mead
for Kristine M. Gebbie
Secretary

AMENDATORY SECTION (Amending Order 2348, filed 3/20/86)

WAC 248-18-010 EXEMPTIONS AND INTERPRETATIONS. (1) If a hospital that is required to be licensed under this act does not normally provide a particular service or department, the section or sections of these regulations relating to such service or department will not be applicable.

(2) The department may, in its discretion, exempt certain hospitals from complying with parts of these regulations when it has been found after thorough investigation and consideration that such exemption may be made in an individual case without placing the safety or health of the patients in the hospitals involved in jeopardy.

(3) The secretary of the department (~~(of social and health services)~~) or his or her designee may, upon written application of a hospital, allow the substitution of procedures, materials, or equipment for those specified in these regulations when such procedures, materials, or equipment have been demonstrated to his or her satisfaction to be at least equivalent to those prescribed. The secretary or his or her designee shall send a written response to a hospital which has applied for approval of a substitution. The response shall approve or disapprove the substitution and shall be issued within thirty working days after the department has received all the information necessary to the review of the application.

(4) A hospital may, upon submission of a written request to the secretary of the department (~~(of social and health services)~~) or his or her designee, obtain an interpretation of a rule or regulation contained in chapter 248-18 WAC. The secretary or his or her designee shall, in response to such a request, send a written interpretation of the rule or regulation within thirty working days after the department has received complete information relevant to the requested interpretation.

(5) A copy of each exemption or substitution granted or interpretation issued pursuant to the provisions of this section shall be reduced to writing and filed with the department and the hospital.

AMENDATORY SECTION (Amending Order 119, filed 5/23/75)

WAC 248-18-018 HOSPITAL LICENSE TO COVER ATTACHED NURSING HOME BUILDING—WHEN PERMISSIBLE. A building meeting the requirements of chapter 248-14 WAC and which has been approved by the department of social and health services as a nursing home may be licensed as a part of a hospital by means of a hospital license rider provided:

(1) The hospital makes application for license of the nursing home facility as a part of the hospital;

(2) The hospital and nursing home facility organization, administration and operation are integrated;

(3) The nursing home facility is connected to the hospital by an enclosed, heated passageway which has been approved by the department for the transport of patients, equipment and supplies; and

(4) The hospital establishes and maintains a mechanism whereby placement and retention of patients in the nursing home facility are reviewed by a professional group representative of the hospital's administrative, medical and nursing staffs to assure that use of the nursing home facility is limited to patients who require nonacute, convalescent or chronic care only.

And further provided that where requirements of chapter 248-14 WAC affecting only the maintenance and operation of the nursing home facility are in conflict with chapter 248-18 WAC, then such conflicts may be resolved by each hospital individually: PROVIDED, That maintenance and operation of the facility meet either chapter 248-14 WAC or chapter 248-18 WAC.

AMENDATORY SECTION (Amending Order 119, filed 5/23/75)

WAC 248-18-020 APPROVAL OF PLANS. (1) Plans and specifications for new construction other than minor alterations, shall be prepared by or under the direction of an architect duly registered in the state of Washington. It is strongly recommended that a narrative description of any proposed construction or alterations be submitted to the department prior to the preparation of any preliminary drawings.

(2) All new construction, other than minor alterations, shall be done in accordance with at least the specific minimum requirements of the (~~(board)~~) department covering new construction in hospitals, including submission of preliminary plans and the submission and approval of final working drawings and specifications.

(3) Compliance with these standards and regulations does not relieve the hospital of the need to comply with applicable state and local building and zoning codes.

AMENDATORY SECTION (Amending Order 010, filed 11/1/89, effective 12/2/89)

WAC 248-18-221 OBSTETRICAL SERVICES. (1) Hospitals providing obstetrical services shall provide:

(a) Medical services directed by a physician member or members of the medical staff having experience in obstetrics and newborn care, whose functions and scope of responsibility are delineated by the medical staff;

(b) Adequate staff supervised by a registered nurse, prepared by education and experience in obstetrical and newborn care nursing;

(c) Capability for performing caesarean sections twenty-four hours per day.

(2) Hospitals providing obstetrical services shall establish written policies and procedures to include:

(a) Infection control principles under WAC 248-18-035 including:

(i) Room assignment and placement of obstetrical patients and newborns;

(ii) Visitors;

(iii) Special clothing requirements for staff and visitors;

(iv) Handwashing, posted as appropriate;

(v) Isolation;

(vi) Employee health; and

(vii) Handling and storage of breast milk and formula.

(b) Screening criteria to ascertain patients appropriate for each option of labor, delivery, postpartum, and newborn care;

(c) Provisions for transfer and transport of a woman or a newborn to obtain a more intensive level of medical and nursing care;

(d) Deliveries occurring outside the obstetrical service area or areas;

(e) Requirement for authentication of all orders, standing orders, and protocols with:

(i) Delineation of the circumstances when a particular protocol is used;

(ii) Provisions for notification of appropriate medical staff;

(iii) Description of minimum qualifications or training of persons required to execute a particular order or protocol;

(iv) Written approval of policies, standing orders, and protocols by appropriate representatives of the medical, nursing, and administrative staffs;

(v) Orders for drug or treatment administration including:

(A) A description of the treatment with the name of each drug or agent;

(B) The dosage and concentration of the drug or agent;

(C) The route or method of administration; and

(D) Where pertinent, the time interval, frequency, or duration of administration.

(f) Requirements for documenting orders and protocols in the patient's medical record;

(g) Provision for maintaining body heat of each newborn;

(h) Provision for intrapartum evaluation of fetal heart rate;

(i) Procedures and protocols for the management of obstetrical and newborn emergencies, including resuscitation;

(j) Review of policies, procedures, protocols, and standing orders as necessary and at least every two years with revisions if necessary; and

(k) Recordkeeping including, but not limited to:

(i) Specific notes describing the status of mother, fetus, and newborn during labor, birth, and postpartum;

(ii) Completion of birth and death certificates as necessary;

(iii) Hospital staff's verification of initial and discharge identification of the newborn;

(iv) Documentation that the ~~((metabolic))~~ newborn screening test was obtained and forwarded, as required under RCW 70.83.020 and chapter ~~((248-102))~~ 248-103 WAC, now or as hereafter amended;

(v) Documentation of newborn eye treatment, required under RCW 70.24.040 and chapter 248-100 WAC, now or as hereafter amended; and

(vi) Medical records register or registers and index or indexes described under WAC 248-18-440.

(3) A hospital providing obstetrical services shall:

(a) Designate and maintain facilities and equipment for care of woman, fetus, and newborn either in:

(i) Labor rooms with birth occurring in a delivery room; or

(ii) Birthing rooms including ~~((LDR))~~ labor, delivery, recovery and ((LDRP)) labor, delivery, recovery, post partum services; or

(iii) A combination of labor, delivery, and birthing rooms; or

(iv) Rooming-in, if provided.

(b) Locate any hospital room designated by the hospital as a labor room within the obstetrical service area;

(c) Utilize rooms designated by the hospital as labor rooms:

(i) For short-term patient occupancy of twenty-four hours or less; or

(ii) For patients in labor only unless the room meets the requirements for a patient room described under WAC 248-18-190.

(d) Maintain accommodations and environment in obstetrical delivery rooms, if present, including:

(i) Lighting and equipment for care of woman, fetus, and newborn during delivery including requirements described under WAC 248-18-251(2);

(ii) A minimum area of two hundred and seventy square feet with a minimum linear dimension of fifteen feet; and

(iii) A minimum room temperature of at least sixty-eight degrees Fahrenheit with a reliable method for monitoring temperature.

(e) Maintain systems for scrub up, clean up, sterilization, storage, housekeeping, and staff change room facilities; and

(f) Meet requirements described under WAC 248-18-253 and 248-18-256 for anesthesia and post-anesthesia recovery.

(4) Hospitals providing birthing or delivery services shall provide sufficient and appropriate area in rooms to accommodate not only patients, staff, and designated attendants, but also furnishings and equipment for the care of the woman, fetus, and newborn including:

(a) Adequate and appropriate equipment and supplies as follows:

(i) A bed or equivalent suitable for labor, birth, and post partum;

- (ii) Oxygen with individual flow meters and mechanical suction for woman and newborn;
 - (iii) Newborn resuscitation bag, masks, endotracheal tubes, laryngoscopes, oral airways, and mechanical suction in the room for each birth;
 - (iv) Emergency equipment, medications, and supplies for care of newborn and woman required under WAC 248-18-251 (2)(b)(ii);
 - (v) Newborn beds available;
 - (vi) Radiant heat source available for the newborn;
 - (vii) General lighting source and provision for examination lights;
 - (viii) A clock with a sweep hand or equivalent second indicator visible from each patient's bedside;
 - (ix) Provision for receiving, covering, and transporting soiled linens and waste materials;
 - (x) Appropriate storage for necessary linens, instruments, supplies, medications, and equipment;
 - (xi) Work surfaces;
 - (xii) A signal device for use by staff and accessible to summon emergency back-up personnel when needed;
 - (xiii) Emergency power for lighting and operation of equipment;
 - (xiv) Easily cleanable floors, walls, cabinets, ceilings, and furnishings; and
 - (xv) Fetal monitoring equipment.
- (b) Additional requirements if birthing rooms are provided including:
- (i) A lavatory located within each birthing room;
 - (ii) A designated lavatory and water closet conveniently located for use of patient and support person or persons;
 - (iii) A bathing facility convenient for patient use;
 - (iv) Wardrobe unit or closets in the vicinity for the belongings of the patient and her support person or persons;
 - (v) A signaling device accessible for each woman; and
 - (vi) Room temperature of at least sixty-eight degrees Fahrenheit maintained with a reliable method for monitoring.
- (5) Hospitals may use an operating room as a delivery room if the hospital has established policy and procedures about use of operating rooms including establishing priority over routine obstetrical procedures and non-emergent surgical procedures for:
- (a) Patients with parturition imminent;
 - (b) Patients with obstetrical emergencies requiring immediate medical intervention to preserve life and health of woman and infant.
- (6) Any hospital providing obstetrical services shall provide appropriate newborn care including, but not limited to:
- (a) Devices for measuring weight, length, and circumference;
 - (b) Access to and availability of portable x-ray;
 - (c) Provisions for stabilization, transfer, and transport of high-risk newborns and infants;
 - (d) An established system to identify newborns prior to separation from mother;
 - (e) Established policies and procedures minimally including:
 - (i) Ongoing clinical assessment of newborn or infant;

(ii) Provisions for direct supervision of each newborn by nursing staff and family in a nonpublic area, considering:

- (A) Physical well being;
 - (B) Safety; and
 - (C) Security, including prevention from abduction.
- (f) Access to oxygen, oxygen analyzers, warmed and humidified oxygen, resuscitation equipment, emergency equipment, measuring devices, mechanical suction, medical air and supplies specifically for infants and newborns.
- (7) Hospitals with a newborn and infant nursery shall provide services, facilities, and equipment including:
- (a) Requirements in subsection (6) of this section;
 - (b) Wall clock with sweep second hand or equivalent second indicator visible from each nursery room;
 - (c) Oxygen source with provision for warming, humidifying, analyzing, and blending oxygen;
 - (d) A nursery room or rooms with at least twenty square feet per bassinets and with sufficient room to move between bassinets;
 - (e) Handwashing facilities located at the entrance to the nursery and in each nursery room;
 - (f) Emergency call systems from the nursery to another nearby appropriately staffed area;
 - (g) A system to maintain an environmental temperature of at least sixty-eight degrees Fahrenheit; and
 - (h) Appropriate emergency equipment, medications, and supplies for infant care and as required under WAC 248-18-251 (2)(b).

AMENDATORY SECTION (Amending Order 2348, filed 3/20/86)

WAC 248-18-245 CARE OF TUBERCULOSIS PATIENTS. (1) Any hospital which provides inpatient services to both tuberculous and nontuberculous patients shall provide:

- (a) Designated patient rooms for patients with suspected or known infectious tuberculosis.
 - (i) Any patient room used for the care of a patient with suspected or known infectious tuberculosis shall be a private or semiprivate room providing respiratory isolation and a handwashing facility and shall have a separate adjoining toilet. Only a patient with tuberculosis may share a room with a patient with infectious tuberculosis.
 - (ii) Ventilation: A negative pressure condition shall be maintained in the patient rooms relative to adjacent spaces, except bath and toilet areas. No air shall move out of the patient room space except to be discharged to the outdoor atmosphere. The discharge of air shall be at least twenty-five feet from any air intake or occupied space. Ventilation shall be at the rate of six air changes per hour, exhaust. Make-up or supply air may come from adjacent ventilated spaces with a minimum of two air changes being tempered outside air.
 - (iii) Ultraviolet generator irradiation: The ceiling and upper air space of patients' rooms shall be irradiated with ultraviolet fluorescent fixtures, with lamps emitting wave lengths of 253.7 nanometers. An average density of radiant flux shall be maintained at approximately twenty

to twenty-five microwatts per square centimeter as registered on an ultraviolet meter at the ceiling. The average reflected irradiance shall be approximately 0.1 microwatts per square centimeter in the room at the five foot level.

Fixture installation shall conform to the recommendations of the Illuminating Engineering Society Handbook, 5th edition, section 25, "Ultraviolet Energy." A maintenance program shall be established to include cleaning of the ultraviolet fixtures and lamps at least once per month with alcohol.

(b) Clinical laboratory services including slide microscopy shall be available in the facility or through the state laboratory.

(c) Complete diagnostic x-ray service including laminography.

(d) Respiratory therapy services, including therapy related to positive pressure breathing, humidification, and nebulization.

(2) There shall be written policies and procedures pertinent to care of patients with tuberculosis.

(a) These shall be developed by representatives of administrative, medical, and nursing staffs.

(b) The policies and procedures shall be applicable within the hospital, designed to ensure safe and adequate care to patients, and consistent with applicable laws and regulations.

(c) Policies shall be made known and readily available to medical and nursing staffs, shall be followed in the care of patients, and shall be kept current by periodic review and revision.

(3) There shall be an infection control committee whose activities related to tuberculosis shall include:

(a) Review and approval of infection control policies for nursing, laboratory services, and respiratory therapy services.

(b) Consultation for nurses and other personnel on problems associated with isolation of tuberculosis.

(c) Surveillance of the skin testing and chest x-ray program for employees.

(4) There shall be a planned education program provided for personnel having responsibility for services to the tuberculosis patient. The educational program shall give each employee the opportunity to develop understanding of the:

(a) Nature and transmission of tuberculosis.

(b) Methods of control of tuberculosis.

(c) Treatment of tuberculosis.

(d) Psychological aspects of isolation.

(e) Community health aspects of tuberculosis.

A record shall be maintained of the education provided for the employee, which shall be sufficient to allow determination of whether or not the employee has received the education necessary to do an effective job in care of tuberculosis patients.

(5) There shall be a planned program of patient education to teach the patient about tuberculosis and how it is treated. The teaching program shall be directed towards helping the patient gain an understanding of:

(a) The nature and transmission of tuberculosis.

(b) How tuberculosis affects the patient's body.

(c) The treatment of tuberculosis, including the importance of regular intake of medications.

(d) The importance of regular follow-up after discharge from hospital. Entries in the patient's clinical record shall provide current information on the instruction which the patient has received and his or her progress in learning about his or her disease.

(6) There shall be regular case conferences involving the tuberculosis patient's physician, a pulmonary disease consultant, a registered nurse, and the health officer or his or her designee of the patient's county of residence to: Assure accurate diagnosis, effective treatment regimen, and discharge at earliest date consistent with good management and safety from transmission. A discharge conference shall include a representative of the facility to which a patient is being transferred or the health department of the patient's county of residence.

(7) There shall be planning for discharge and continued care of each tuberculosis patient in accordance with the patient's needs and resources. This shall include:

(a) Exchange of information with appropriate staff of another health care facility to which transfer of a patient is pending to ascertain that the other facility can receive and care for the patient.

(b) Transfer of written current medical information, which includes a medical history and physical examination, medical diagnosis, summary of the patient's course of treatment followed in the hospital, nursing and dietary information useful in the care of the patient, and pertinent social information.

(c) Transfer of written information as outlined in subsection (7)(b) of this section to the health department of the patient's county of residence when a patient is discharged to home care.

(d) Notification of the health department of the patient's county of residence at any time a patient is discharged.

(8) No hospital may provide inpatient services to tuberculous patients except upon the written finding of the department (~~of social and health services~~), based upon an inspection performed pursuant to RCW 70.41.120, that such hospital is in compliance with this section.

AMENDATORY SECTION (Amending Order 209, filed 2/18/81)

WAC 248-18-510 PROGRAMS, DRAWINGS AND CONSTRUCTION. (1) Professional design services. Drawings and specifications for new construction shall be prepared by, or under the direction of, an architect registered in the state of Washington, and shall include plans and specifications prepared by consulting professional engineers for the various branches of the work where appropriate; except the services of a registered professional engineer may be used in lieu of the services of an architect if work involves engineering only. If the work involved is believed to be not extensive enough to require professional design services, a written description of the proposed construction should be submitted to the department for a determination of the applicability of this regulation.

(2) Submission for review. The program and drawings for new construction shall be submitted in the following

stages for review. Each room, area and item of fixed equipment and major movable equipment shall be identified on all drawings to demonstrate that the required facilities for each function have been provided.

(a) A written program containing, at a minimum, information concerning services to be provided and operational methods to be used which will affect the extent of facilities required by these regulations. If the project involves an addition or alteration which materially increases the bed capacity of the hospital, the program shall contain a thorough appraisal of all existing supporting services to determine their adequacy for the increased number of patients.

(b) Preliminary drawings of the new construction including major equipment. For alterations and additions, a functional layout of the existing building must be included. The hospital should be designed so that it may be expanded to provide for anticipated future needs. The future additions and their proposed functions should be designated on the preliminary plans.

(c) Detailed working drawings and specifications including mechanical and electrical work.

(d) If carpets are to be used, the following information is to be submitted for review:

(i) A floor plan showing areas to be carpeted and adjoining areas. These areas shall be labeled, according to function, and the proposed carpeted areas coded on the plan and keyed to the appropriate carpet sample.

(ii) One 3" x 5" sample of each carpet type, labeled to identify the following:

(A) Manufacturer; and
(B) Specific company designation (trade name and number).

(iii) Information showing that proposed carpeting meets the specifications as listed in WAC ((~~248-18-718(5)~~) 248-18-719(5)).

(iv) Carpets may be used in the following nonpatient occupied areas: administrative areas, lobbies, lounges, chapels, waiting areas, nurses' station, dining rooms, corridors, equipment alcoves opening onto carpeted corridors. Carpets are not permitted in any areas of the surgery or delivery suites. Carpets may be used in other areas only upon written approval of such use by the department.

(v) Carpets may be used in the following patient occupied areas: Patient rooms (excluding toilets, bathrooms, and designated isolation rooms), coronary care units, recovery rooms (not within surgical suites), labor rooms (not within delivery suites), corridors within patient occupied areas, dayrooms, equipment alcoves opening onto carpeted corridors. Carpets may be used in other areas only upon written approval of such use by the department.

(3) Construction.

(a) Construction, of other than minor alterations, shall not be commenced until the final drawings and specifications have been stamped "construction authorized" by the department. Such authorization by the department does not constitute release from the requirements contained in these regulations.

(b) Compliance with these regulations does not constitute release from the requirements of applicable state

and local codes and ordinances. These regulations must be followed where they exceed other codes and ordinances.

(c) Notification shall be given the department when construction is commenced. If construction takes place in or near occupied areas, adequate provision shall be made for the safety and comfort of patients.

(d) Construction shall be completed in compliance with the final drawings and specifications. Addenda or modifications which might affect the fire safety or functional operation shall be submitted for review by the department.

(4) Department's reports on reviews or on-site construction inspections. The department shall identify the sections and items of chapter 248-18 WAC under which a requirement is stated or a deficiency noted in any written report on a review of a functional program, drawings or specifications and in any report on an on-site inspection of a construction project.

AMENDATORY SECTION (Amending Order 269, filed 9/20/83)

WAC 248-18-520 SITE AND SITE DEVELOPMENT. (REQUIREMENTS IN CAPITAL LETTERS - SEE WAC 248-18-515.)

(1) LOCATION.^{2,3}

(a) SERVED BY AT LEAST ONE STREET, USABLE UNDER ALL WEATHER CONDITIONS.

(b) REMOTE FROM INSECT BREEDING AREAS AND FREE FROM OBJECTIONABLE NOISE, SMOKE, DUST, AND ODORS.

(c) SERVED BY ADEQUATE UTILITIES.²

(d) ON HIGH GROUND PROVIDING NATURAL DRAINAGE OR SERVED BY ADEQUATE STORM SEWERS.

(e) SERVED BY ADEQUATE ORGANIZED FIRE FIGHTING AND POLICE SERVICES.

Sufficiently close to center of community served.

(2) SIZE.

(a) ADEQUATE FOR HOSPITAL PLANNED AND NECESSARY SERVICE ROADS AND PARKING.

(b) SUFFICIENT TO PROVIDE PRIVACY FOR PATIENTS and attractive grounds.

Sufficient for one hundred percent expansion in building area.

Four acres for twenty-five beds, six acres for fifty beds, nine acres for one hundred beds, sixteen acres for two hundred beds are recommended.

(c) SUFFICIENT FOR PRIVATE SEWAGE DISPOSAL IF THERE IS NO PUBLIC SEWER SYSTEM.

(3) PARKING AREA.

(a) LOCATED FOR CONVENIENCE AND TO AVOID UNDUE DISTURBANCE TO PATIENTS.

(b) ADEQUATE NUMBER OF PARKING SPACES.

One parking space per bed plus one space per employee for the day shift recommended.

(c) ADEQUATE DRAINAGE.

(d) SURFACE TREATED TO MINIMIZE DUST. Illuminated at night.

(4) DRIVES AND WALKS.

(a) ADEQUATE FOR MOVEMENT OF PATIENTS, VISITORS, STAFF AND SERVICE VEHICLES.

(b) CONSTRUCTED FOR USE UNDER ALL WEATHER CONDITIONS.

(c) LOCATED TO PREVENT CONFLICTING TRAFFIC.

(d) LOCATED FOR A MINIMUM OF DISTURBANCE TO PATIENTS.

(e) SURFACE TREATED TO MINIMIZE DUST. Illuminated at night.

(5) ENTRANCES.

(a) LOCATED FOR A MINIMUM OF DISTURBANCE TO PATIENTS.

(b) ENTRANCES REQUIRED FOR MOVEMENT OF PATIENTS IN WHEELCHAIRS OR ON STRETCHERS TO BE DESIGNED WITHOUT STAIRS. RAMPS PERMISSIBLE WITH SLOPE NOT EXCEEDING ONE IN TEN. A slope not exceeding one in twenty recommended. AT LEAST ONE ENTRANCE TO THE HOSPITAL TO BE SO DESIGNED.

(i) PATIENTS' AND VISITORS' ENTRANCE. ADJACENT TO LOBBY.

(ii) Emergency patients' entrance.

REQUIRED IF HOSPITAL HAS AN EMERGENCY DEPARTMENT.

LOCATED FOR READY ACCESS TO EMERGENCY DEPARTMENT.

AT GRADE LEVEL AND READILY ACCESSIBLE TO PEDESTRIAN, AMBULANCE, AND OTHER VEHICULAR TRAFFIC.

AMBULANCE PORT SIZED TO ACCOMMODATE AT LEAST ONE VEHICLE TWENTY-TWO FEET LONG, ONE HUNDRED THIRTY INCHES HIGH AND EIGHT FEET WIDE. AMBULANCE PORT TO BE DESIGNED TO PROTECT AN EMERGENCY PATIENT AND THE INTERIOR OF THE EMERGENCY DEPARTMENT FROM WEATHER WHEN A PATIENT IS BROUGHT FROM AN AMBULANCE OR OTHER VEHICLE INTO THE EMERGENCY DEPARTMENT.

Designed to permit attendants to stand on same level as entrance when removing a stretcher from ambulance.

RAMPS TO BRIDGE ANY DIFFERENCE IN LEVELS OF APPROACH FOR PEDESTRIAN TRAFFIC.

(iii) OUTPATIENT ENTRANCE.

May be combined with entrances for patients and visitors or emergency patients.

LOCATED NEAR OUTPATIENT FACILITIES AND FOR ACCESSIBILITY BY WHEELCHAIR PATIENTS.

(iv) SERVICE ENTRANCE.

CLOSE TO STORAGE, ELEVATORS, AND KITCHEN.

(v) EXIT FOR REMOVAL OF BODIES.

May be combined with emergency patients' entrance and/or service entrance.

LOCATED WHERE BODIES CAN BE REMOVED IN AN UNOBTRUSIVE MANNER.

(vi) Employees' entrance.

Convenient to locker rooms and for control of ingress and egress.

(vii) Doctors' entrance.

Convenient to locker room, records room, and switchboard.

(6) ORIENTATION OF PATIENT ROOMS.⁴

(a) ON QUIET SIDE OF SITE.

(b) LOCATED FOR PRIVACY FOR PATIENTS.

(c) PROTECTED FROM THE VIEW OF REMOVAL OF BODIES, AND STORAGE OF RUBBISH.

Oriented for sunlight and prevailing breezes.

Notes:

²See GENERAL DESIGN REQUIREMENTS, WAC ((~~248-18-718(6)~~) 248-18-719(3), PLUMBING AND SEWERAGE.

³Not applicable to alterations and additions to existing hospitals.

⁴See requirements for "windows," WAC ((~~248-18-718(4)~~) 248-18-719(1) and see WAC 248-18-001 for definition of "grade."

AMENDATORY SECTION (Amending Order 269, filed 9/20/83)

WAC 248-18-525 ADMINISTRATIVE FACILITIES. (REQUIREMENTS IN CAPITAL LETTERS - SEE WAC 248-18-515.)

(1) LOBBY.

(a) WAITING SPACE.

(b) WHEELCHAIR PARKING.

(c) PUBLIC TOILETS FOR EACH SEX.

(d) PUBLIC TELEPHONE.

(e) INFORMATION COUNTER.

Provision for sale of newspapers, soft drinks, gifts, cigarettes, etc.

(2) ADMITTING FACILITIES.

(a) PROVISION FOR AUDITORY PRIVACY DURING INTERVIEW.

(b) Interview rooms.

(c) Vault for patient valuables.

(d) Routine examination facilities.

(3) ADMINISTRATION FACILITIES.

(a) OFFICE FOR ADMINISTRATOR.

(b) OFFICE FOR DIRECTOR OF NURSING - IF OVER TWENTY-FIVE BEDS.

(c) Offices for other administrative personnel.

(d) Secretarial office space.

(e) Board room.

(4) BUSINESS OFFICE. Vault for records, cash, etc.

(5) MEDICAL RECORDS FACILITIES.

(a) ACTIVE RECORDS STORAGE. SPACE FOR FIFTY INPATIENT RECORDS PER BED PER YEAR, NOT LESS THAN THREE SQUARE FEET FLOOR SPACE PER BED.

(b) ADDITIONAL SPACE FOR OUTPATIENT RECORDS.

(c) INACTIVE RECORDS STORAGE.

(i) SPACE FOR FIFTY INPATIENT RECORDS PER BED PER YEAR.

(ii) TOTAL SPACE DEPENDENT UPON DURATION AND TYPE OF STORAGE PLANNED.

(iii) Doctors' dictation facilities.

(iv) Transcribing facilities.

(6) MEDICAL STAFF FACILITIES.

- (a) Doctors' in-and-out register.
- (b) COAT ROOM.
- (c) Toilet.
- (d) Medical lounge and library.
- (7) HOSPITAL EMPLOYEE FACILITIES.
- (a) LOCKER ROOMS, and lounges. ADEQUATE TO ACCOMMODATE ALL EMPLOYEES NOT PROVIDED ADEQUATE FACILITIES IN INDIVIDUAL DEPARTMENTS.
- (i) SEPARATE FOR MEN AND WOMEN.
- (ii) SPACE FOR INDIVIDUAL LOCKERS.
- (b) TOILETS. ADEQUATE TOILETS ADJOINING EACH LOCKER ROOM. ADDITIONAL EMPLOYEES' TOILETS THROUGHOUT THE HOSPITAL TO ADEQUATELY SERVE EMPLOYEES OF ALL DEPARTMENTS.
- (c) Showers — Adjoining locker rooms.
- (8) Conference and training facilities.
- (9) Retiring room.
- (10) Social service office.
- (11) HOUSEKEEPING FACILITIES⁵

Suitable combination with other housekeeping facilities permitted if convenient to administration facilities.

Note:

⁵See GENERAL REQUIREMENTS FOR SERVICE FACILITIES, WAC ((~~248-18-710(5)~~)) 248-18-711(6), HOUSEKEEPING FACILITIES.

AMENDATORY SECTION (Amending Order 216, filed 10/23/81)

WAC 248-18-530 NURSING UNIT—GENERAL. (REQUIREMENTS ARE SHOWN IN CAPITAL LETTERS. SEE WAC 248-18-515.)

(1) DEFINITION. A SEPARATE, PHYSICAL, AND FUNCTIONAL UNIT OF THE HOSPITAL WHICH INCLUDES A GROUP OF PATIENT ROOMS, AND THE ANCILLARY ADMINISTRATIVE AND SERVICE FACILITIES NECESSARY TO PROVIDE NURSING SERVICE TO THE OCCUPANTS OF THESE PATIENT ROOMS. EXCLUDES FACILITIES WHICH SERVE OTHER AREAS OF THE HOSPITAL AND WHICH CREATE TRAFFIC UNNECESSARY TO THE FUNCTIONS OF THE NURSING UNIT.

(2) LOCATION.

(a) EACH NURSING UNIT LOCATED TO AVOID THROUGH TRAFFIC TO ANY SERVICE, DIAGNOSTIC, TREATMENT, OR ADMINISTRATIVE AREA. INTENSIVE CARE UNITS, AND PSYCHIATRIC NURSING UNITS IN A LOCATION WITH NO THROUGH TRAFFIC TO ANY OTHER AREA OF THE HOSPITAL. For nursery or neonatal intensive care unit, refer to WAC ((~~248-18-015 and 248-18-636~~)) 248-18-224 and 248-18-637.

(b) ALL ROOMS AND AREAS WITHIN A NURSING UNIT ON THE SAME FLOOR.

(c) Nursing units placed on quiet side of site and separated from service and ambulance courts. Convenient relationships to surgery and obstetrical delivery suites, adjunct diagnostic and treatment facilities and service areas.

(d) Location and relationship of nursing units in hospital to provide for flexible overlap of postpartum rooms with surgical rooms.

(3) CAPACITY.

(a) Bed capacity of a nursing unit, twenty to thirty-five beds, except where necessary to provide separation of units, such as units for special care.²⁴

(b) Additional service facilities may be required in units of more than thirty-five beds.²⁴

(4) SEPARATION OF CLINICAL SERVICES.²⁴ Suitable combinations of ancillary administrative and service facilities between or among units may be permitted.²⁴

(a) BEDS FOR POSTPARTUM PATIENTS GROUPED TOGETHER AND LOCATED TO AVOID INTERMIXING WITH BEDS FOR OTHER TYPES OF PATIENTS.

(b) ROOMS WITH PEDIATRIC BEDS LOCATED TOGETHER OR IN CLOSE PROXIMITY TO EACH OTHER.²⁴ Refer to WAC ((~~248-18-539~~)) 248-18-541.

(c) WHEN A SEPARATE PSYCHIATRIC UNIT IS PLANNED, WAC 248-18-534 APPLIES. WHEN TEN OR MORE PSYCHIATRIC BEDS ARE PLANNED, A PSYCHIATRIC UNIT SHALL BE PROVIDED. Refer to WAC 248-18-534.

(d) SEGREGATED INTENSIVE CARE PATIENT BEDS.²⁴ SEPARATE INTENSIVE CARE NURSING UNIT WHERE FIVE OR MORE BEDS ARE PLANNED. Refer to WAC 248-18-555.

(e) SEPARATE NURSING HOME OR LONG-TERM CARE UNIT WHERE TEN OR MORE BEDS ARE PLANNED FOR NURSING HOME OR LONG-TERM CARE PATIENTS.

(5) SPECIAL DESIGN FEATURES OF SPECIALIZED FACILITIES.

(a) Facilities for psychiatric patients. Refer to WAC 248-18-530 (6)(c) and 248-18-534.

(b) Facilities for pediatric patients. Refer to WAC 248-18-530 (6)(d) and ((~~248-18-539~~)) 248-18-541.

(c) Facilities for intensive care. Refer to WAC 248-18-555. Relites between corridors and rooms.

(6) PATIENT ROOM.

(a) DIRECTLY ACCESSIBLE FROM CORRIDOR OF NURSING UNIT. LOCATED TO PREVENT TRAFFIC THROUGH ROOMS AND TO MINIMIZE ENTRANCE OF ODORS, NOISE, AND OTHER NUISANCES.

(b) ISOLATION ROOM(S), ONE OR MORE PER HOSPITAL, FOR AIRBORNE COMMUNICABLE DISEASE WITH ADJOINING TOILET, BEDPAN FLUSHING EQUIPMENT, AND BATHING FACILITY. LAVATORY LOCATED IN ROOM AT ENTRY. AIR CHANGES AND AIR PRESSURE GRADIENTS AS DESCRIBED IN WAC ((~~248-18-718-(8)(c))~~)) 248-18-719 TABLE ((~~B~~)) 719-3. ULTRAVIOLET GENERATOR IRRADIATION IN ROOMS DESIGNATED FOR ISOLATION OF TUBERCULOSIS PATIENTS AS DESCRIBED IN WAC 248-18-245 (1)(a)(iii).^{6, 24} Mirror, shelf, and towel bar or hook not required if provided with lavatory in adjoining toilet room.

(c) Rooms for disturbed medical or psychiatric patients. At least one seclusion or security room with adjoining toilet for the care of seriously disturbed patients on an appropriate nursing unit or near emergency rooms unless a separate psychiatric unit is provided, as described in WAC 248-18-534.

(d) CAPACITY AND AREA.

(i) MAXIMUM CAPACITY OF FOUR BEDS PER PATIENT ROOM. Maximum patient room capacity of two beds recommended. At least twenty-five percent of beds in one-bed rooms.

(ii) AT LEAST EIGHTY SQUARE FEET USABLE FLOOR SPACE PER BED IN MULTIBED ROOMS. One hundred square feet of usable floor space per bed in multibed rooms recommended.

(iii) AT LEAST ONE HUNDRED SQUARE FEET USABLE FLOOR SPACE IN ONE-BED ROOMS. One hundred twenty-five square feet usable floor space in one-bed rooms recommended.

(iv) AT LEAST FORTY SQUARE FEET PER BASSINET IN PATIENT ROOM FOR INFANT PEDIATRIC PATIENTS. ADULT REQUIREMENTS APPLY TO ROOMS FOR YOUTH CRIBS AND BEDS. Refer to WAC ((~~248-18-539~~)) 248-18-541.

(e) DIMENSIONS.

(i) MINIMUM WIDTH OF ELEVEN FEET FOR MULTIBED ROOMS. Minimum recommended dimensions of twelve feet by sixteen feet for two-bed rooms.

(ii) MULTIBED ROOMS ARRANGED TO ALLOW SPACING OF BEDS AT LEAST TWO FEET FROM WALL (EXCEPT AT HEAD) AND AT LEAST THREE FEET APART. CLEARANCE AT LEAST THREE FEET EIGHT INCHES AT FOOT OF BED to permit passage of large equipment and beds.

(f) EQUIPMENT.

(i) LAVATORY IN EACH ROOM EXCEPT OPTIONAL IN PSYCHIATRIC PATIENT ROOMS OR SINGLE PATIENT ROOMS HAVING A SEPARATE ADJOINING TOILET ROOM WHICH SERVES SINGLE ROOM ONLY AND CONTAINS A LAVATORY.

(ii) CUBICLE CURTAIN TRACKS OR RAILS TO PROVIDE COMPLETE SCREENING OF EACH BED OR AN EQUIVALENT MEANS FOR PROVIDING PRIVACY FOR EACH PATIENT IN ALL MULTIBED PATIENT ROOMS EXCEPT PSYCHIATRIC. Refer to WAC 248-18-534. TRACKS OR EQUIVALENT SCREENING SHALL PROVIDE ACCESS TO TOILET, LAVATORY, WARDROBE, AND ENTRY WITHOUT INTERFERENCE WITH PRIVACY OF OTHER PATIENTS.

(iii) WARDROBE, CLOSET OR LOCKER PER BED FOR HANGING FULL LENGTH GARMENTS AND STORAGE OF PERSONAL EFFECTS, extra pillows, and other equipment.⁶

(iv) SEPARATE OXYGEN OUTLET LOCATED AT HEAD OF EACH BED. (See exception for psychiatric unit WAC 248-18-534 (4)(c)). Alcoholism units may be excepted.

(v) SEPARATE SUCTION OR VACUUM OUTLET LOCATED AT HEAD OF EACH BED. (See

exception for psychiatric unit WAC 248-18-534 (4)(c)). Alcoholism units may be excepted.

(vi) NURSE CALL SYSTEM. Refer to WAC ((~~248-18-718(11)(b))~~) 248-18-719, Table 719-6.

(g) DOORS AND WINDOWS. Refer to WAC ((~~248-18-718(4)~~)) 248-18-719(1), Table 719-1.

(h) ELECTRICAL REQUIREMENTS. Refer to WAC ((~~248-18-718(10)~~)) 248-18-719(4), Table 719-5.

(7) PATIENT TOILET.

(a) TOILET EQUIPPED WITH BEDPAN FLUSHING EQUIPMENT ADJOINING EACH PATIENT ROOM. Exceptions: Refer to WAC 248-18-534 PSYCHIATRIC NURSING UNIT, WAC ((~~248-18-539~~)) 248-18-541 PEDIATRIC NURSING UNIT, WAC 248-18-555 INTENSIVE CARE.

(b) WATER CLOSETS IN RATIO OF AT LEAST ONE PER FOUR BEDS OR MAJOR FRACTION THEREOF ON EACH NURSING UNIT. For alteration projects, ratio of one per six acceptable.

(c) AT LEAST ONE TOILET, DESIGNED AND ARRANGED FOR USE BY INDIVIDUALS IN WHEELCHAIRS, OPENING DIRECTLY FROM A MAIN CORRIDOR ON EACH FLOOR. For use by patients, public, and staff. May be used by either sex.

(8) PATIENT BATHING FACILITIES.

(a) SHOWERS OR TUBS IN THE RATIO OF AT LEAST ONE BATHING FACILITY PER EIGHT BEDS OR MAJOR FRACTION THEREOF ON EACH NURSING UNIT.²⁴ BEDS HAVING A BATHING FACILITY ADJOINING THE PATIENT ROOM SHALL BE EXCLUDED FROM THE RATIO. For alteration projects, one bathing facility per twelve beds or major fraction thereof may be acceptable.

(b) AT LEAST ONE COMMUNAL BATHING FACILITY ON EACH FLOOR TO BE AN "ISLAND" TUB (ACCESSIBLE ON TWO SIDES AND ONE END), OR ROLL-IN SHOWER OR EQUIVALENT, (shower in which a chair on wheels may be used). SPACE PROVIDED FOR WHEELCHAIR WITH ASSISTING ATTENDANT. Elevation of island tub on pedestal not recommended.

(c) PROPERLY LOCATED GRAB BARS AT EACH BATHTUB, SHOWER, AND WATER CLOSET FOR PATIENT USE. Refer to WAC ((~~248-18-718(6)(g)(viii)~~)) 248-18-719(6).

(9) MISCELLANEOUS FACILITIES AND EQUIPMENT.

(a) NURSES' STATION OR EQUIVALENT.²⁴

(i) STATION FOR EACH NURSING UNIT OR SHARED WITH ADJACENT UNIT.²⁴

(ii) EQUIPMENT.²⁴

CHARTING SURFACE.⁶

STORAGE FOR PATIENT CHARTS.^{6, 24}

TELEPHONE.

NURSE CALL ANNUNCIATOR.

Storage for charting supplies.

Clock.

(b) UTILITY OR MATERIALS ROOM.⁷ May be shared if adequate size and convenient to units served.²⁴

(i) AT LEAST ONE CLEAN UTILITY ROOM OR A CLEAN MATERIALS ROOM ON EACH NURSING UNIT. Refer to WAC ((248-18-710 (2)(a) and (b))) 248-18-711 (3) or (4).

(ii) AT LEAST ONE SOILED UTILITY ROOM OR A SOILED MATERIALS ROOM ON EACH NURSING UNIT. Refer to WAC ((248-18-710 (2)(c) and (d))) 248-18-711 (8) or (9).

(c) MEDICINE DISTRIBUTION FACILITIES.⁷ AT LEAST ONE ON EACH NURSING UNIT OR SHARED WITH ADJACENT UNIT(S).²⁴ Convenient to beds served.

(d) LINEN STORAGE.¹⁸ IN CLEAN AREA ON EACH NURSING UNIT (SHELVING, CART, OR EQUIVALENT). OR SHARED WITH OTHER UNIT(S), if adequate size and convenient to units.

(e) ICE FACILITIES.

(i) ON OR ADJACENT TO EACH NURSING UNIT. LOCATED IN AREA SERVING CLEAN FUNCTIONS ONLY, EXCEPT SELF-DISPENSING ICE MACHINES may be in alcove on corridor.

(ii) EQUIPMENT: May be combined with nourishment facilities.

WORK COUNTER.⁶

ICE MACHINE OR ADEQUATE STORAGE UNIT.

(Self-dispensing types recommended.)

(f) DRINKING FACILITIES ACCESSIBLE IN PUBLIC AREA ON EACH FLOOR TO PROVIDE WATER: (Fountain, disposable drinking cups or equivalent dispensing system accessible to individuals using wheelchairs).

(g) NOURISHMENT FACILITIES.

(i) ON OR ADJACENT TO EACH NURSING UNIT. SEPARATE AREA IN ROOM SERVING CLEAN FUNCTIONS ONLY; SEPARATE ROOM IF FACILITIES TO BE USED FOR DISHWASHING OR DECENTRALIZED FOOD SERVICE.

(ii) SPACE FOR WASTE CONTAINER.

(iii) EQUIPMENT:

REFRIGERATOR.⁶

WORK COUNTER.⁶

SINK OR LAVATORY.

STORAGE FOR UTENSILS AND FOODSTUFFS.⁶

Cooking unit.⁶

DISHWASHING MACHINE (OR THREE-COMPARTMENT SINK) IF DISHES, GLASSES OR PITCHERS ARE TO BE WASHED ON THE UNIT.

(iv) ADDITIONAL FACILITIES MAY BE REQUIRED DEPENDING UPON DEGREE OF DECENTRALIZATION OF FOOD SERVICE. Refer to chapter 248-84 WAC.

(h) EQUIPMENT STORAGE.¹⁸ ON OR ADJACENT TO EACH NURSING UNIT. FOR NURSING AND MEDICAL EQUIPMENT. Centralized equipment storage area may be acceptable.²⁴

(i) WHEELCHAIR AND STRETCHER STORAGE ON OR ADJACENT TO EACH NURSING UNIT.¹⁸

(j) HOUSEKEEPING FACILITIES.⁵ ON OR ADJACENT TO EACH NURSING UNIT.

(k) PERSONNEL FACILITIES.

(i) TOILET ON OR ADJACENT TO EACH NURSING UNIT.

(ii) STORAGE FOR PURSES AND PERSONAL EFFECTS APART FROM STORAGE FOR PATIENT CARE SUPPLIES AND EQUIPMENT ON OR ADJACENT TO EACH NURSING UNIT.

(l) Treatment and examination room.²⁴ REQUIRED FOR HOSPITALS WITH PSYCHIATRIC AND PEDIATRIC UNITS. Refer to WAC 248-18-534 (8)(e), ((248-18-539)) 248-18-541.

(i) MINIMUM DIMENSION, EIGHT FEET, AT LEAST EIGHTY SQUARE FEET EXCLUSIVE OF CABINETS, SINK, WORK COUNTER, DESK AND VESTIBULE.

(ii) EQUIPMENT:

EMERGENCY SIGNAL DEVICE.

LAVATORY OR SINK.

Clock.

Oxygen outlet.

Suction outlet.

WORK SURFACE.⁶

STORAGE CABINET.⁶

(m) Patient activity areas.²⁴ Optional except where mandated in this section.

(i) Adequate facilities to accommodate the maximum number of patients to be cared for.

(ii) PLAYROOM OR AREA FOR PEDIATRIC PATIENTS. Refer to WAC ((248-18-539)) 248-18-541.

(iii) DAYROOM WITH WINDOWS OR SOLARIUM ON PSYCHIATRIC NURSING UNITS AND NURSING HOME OR LONG-TERM CARE UNITS. Refer to WAC 248-18-534.

(iv) RECREATION ROOM ON PSYCHIATRIC NURSING UNITS AND NURSING HOME OR LONG-TERM CARE UNITS.²⁴ Refer to WAC 248-18-534.

(v) DINING AREA ON OR AVAILABLE TO PSYCHIATRIC NURSING UNITS AND NURSING HOME OR LONG-TERM CARE UNITS.²⁴ Refer to WAC 248-18-534.

(vi) OCCUPATIONAL THERAPY AREA ON OR AVAILABLE TO PSYCHIATRIC NURSING UNITS AND NURSING HOME OR LONG-TERM CARE UNITS.²⁴ Refer to WAC 248-18-534.

(vii) Above areas may be combined in one room.²⁴

(viii) Suitable outdoor recreational space for patients on nursing home or long-term care units and psychiatric units. Refer to WAC 248-18-534.

(ix) Barber and beauty shop facilities available for psychiatric and nursing home or long-term care units. Refer to WAC 248-18-534.

(n) Patient laundry facilities.²⁴

(i) REQUIRED ON PSYCHIATRIC UNITS. Refer to WAC 248-18-534. Recommended on nursing home or long-term care units.²⁴

(ii) EQUIPMENT:

SINK AND COUNTER.⁶

Drying facilities.^{6, 24}

STORAGE CABINET.⁶Ironing facilities.^{6, 24}

(o) Interview room. **REQUIRED ON OR ACCESSIBLE TO PSYCHIATRIC UNITS.** Refer to WAC 248-18-534. Recommended on nursing home or long-term care units. May be combined with private office.

(p) Patient classroom. Recommended availability for obstetric, psychiatric, and pediatric units and other units where group instruction to patients may be given. Refer to WAC ((~~248-18-539~~)) 248-18-541.

(q) OFFICE FOR HEAD NURSE OR NURSING SUPERVISOR ON OR CONVENIENT TO UNITS OF TWENTY BEDS OR MORE.²⁴ AT LEAST ONE NURSING OFFICE PER HOSPITAL.

(r) CONFERENCE ROOM FOR CONFIDENTIAL STAFF COMMUNICATION.²⁴ Combined with rooms for other nursing functions as appropriate.

(s) AT LEAST ONE WAITING ROOM OR AREA PER FLOOR.²⁴

Notes:

⁵See GENERAL REQUIREMENTS FOR SERVICE FACILITIES, WAC ((~~248-18-710(5)~~)) 248-18-711(6), HOUSEKEEPING FACILITIES.

⁶May be movable equipment.

⁷See GENERAL REQUIREMENTS FOR SERVICE FACILITIES, WAC ((~~248-18-710~~)) 248-18-711.

¹⁸See GENERAL REQUIREMENTS FOR SERVICE FACILITIES, WAC ((~~248-18-710(3)~~)) 248-18-711(10), STORAGE FACILITIES.

²⁴In accordance with program.

AMENDATORY SECTION (Amending Order 216, filed 10/23/81)

WAC 248-18-534 PSYCHIATRIC NURSING UNIT. Optional, SHALL MEET REQUIREMENTS, IF INCLUDED. (REQUIREMENTS IN CAPITAL LETTERS—SEE WAC 248-18-515.)

(1) WHEN A SEPARATE PSYCHIATRIC UNIT IS PLANNED, WAC 248-18-534 SHALL APPLY. WHEN TEN OR MORE BEDS ARE PLANNED, A PSYCHIATRIC UNIT SHALL BE PROVIDED.

(2) DESIGNED FOR CARE OF AMBULATORY AND/OR NONAMBULATORY INPATIENTS.

(a) PROVISION FOR FLEXIBILITY IN ARRANGEMENT FOR VARIOUS TYPES OF PSYCHIATRIC THERAPIES.

(b) Design should present as noninstitutional an appearance as possible or practicable.

(c) FACILITIES SHALL BE SAFE FOR PATIENTS AND STAFF.

(3) WINDOWS AND RELITES IN ALL ROOMS ON PSYCHIATRIC UNITS SHALL MEET REQUIREMENTS OF WAC ((~~248-18-718(4)(b)~~)) 248-18-719(1) EXCEPT THAT ALL WINDOWS SHALL BE SECURITY OR MAXIMUM SECURITY WINDOWS OR EQUIVALENT.²⁴

(4) PATIENT ROOMS SHALL MEET REQUIREMENTS UNDER WAC 248-18-530(6) EXCEPTIONS:

(a) WINDOWS AND RELITES, refer to WAC 248-18-534(3).

(b) NURSE CALL SYSTEM. Optional in ambulatory patient room.²⁴

(c) Oxygen and suction outlets at head of each bed.²⁴

(d) Lavatory, Optional.²⁴

(e) Cubicle curtain tracks or rails in multibed rooms not required, PROVIDED OTHER EQUIVALENT MEANS OF INSURING PATIENT PRIVACY SHALL BE AVAILABLE, WHEN REQUIRED.

(f) CEILINGS SHALL MEET REQUIREMENTS UNDER WAC ((~~248-18-718(5)(c)(viii)~~)) 248-18-719(1), (5), and Table 719-1.

(5) TOILET AND BATHING FACILITIES SHALL MEET REQUIREMENTS UNDER WAC 248-18-530 (7) AND (8).

(a) Bedpan flushing devices optional in patient toilet rooms.

(b) WAC 248-18-530 (8)(b) shall not apply to ambulatory psychiatric units.²⁴

(6) SECURITY ROOM(S).

(a) DESIGNED TO MINIMIZE POTENTIAL FOR ESCAPE, HIDING, INJURY OR SUICIDE. If more than one psychiatric nursing unit, the rooms may be centralized on one nursing unit or decentralized on each nursing unit.²⁴

(b) MAXIMUM CAPACITY, TWO-BED ROOM.

(c) DOORS SHALL HAVE PROVISION TO OPEN OUTWARD.

(d) AT LEAST EIGHTY SQUARE FEET FLOOR SPACE PER BED IN MULTIBED ROOMS. AT LEAST ONE HUNDRED SQUARE FEET FLOOR SPACE IN ONE-BED ROOMS.

(e) WARDROBE, CLOSET OR LOCKER. May be located in adjoining anterooms, or nearby.

(f) TOILET WITH LOCK ON DOOR, STAFF CONTROLLED AND OPERABLE FROM BOTH SIDES OF DOOR, ADJOINING SECURITY ROOM. May serve more than one room and maximum of four patients.

(g) BATHING FACILITY MEETING MAXIMUM SAFETY AND SECURITY REQUIREMENTS. Refer to WAC 248-18-530(8) and definition of security room.

(h) SPECIAL FIXTURES AND HARDWARE INCLUDING DUPLEX RECEPTACLES. Refer to WAC ((~~248-18-718(10)(c)(ix)~~)) 248-18-719(4) and Table 719-5.

(7) Seclusion room(s).

(a) DESIGNED TO MINIMIZE POTENTIAL FOR STIMULATION, ESCAPE, HIDING, INJURY OR SUICIDE for short periods of time generally not to exceed twenty-four hours. If more than one psychiatric nursing unit, the rooms may be centralized on one nursing unit or decentralized on each nursing unit.²⁴

(b) MAXIMUM CAPACITY, ONE PATIENT.

(c) MAXIMUM SECURITY WINDOW IF USED AS ASSIGNED PATIENT ROOM, IN ACCORDANCE WITH WAC ((~~248-18-718(4)(b)~~)) 248-18-719(1), 248-18-534(3), and 248-18-530(6).

(d) DOORS SHALL HAVE PROVISION TO OPEN OUTWARD.

(e) AT LEAST EIGHTY SQUARE FEET AND MINIMUM DIMENSION OF EIGHT FEET. Ceiling height ten feet recommended.

(f) STAFF CONTROLLED, LOCKABLE TOILET ROOM ADJOINING SECLUSION ROOM(S). May be entered through an adjoining anteroom. One toilet may serve more than one and maximum of four patients.

(g) SPECIAL FIXTURES AND HARDWARE. Refer to WAC ((~~248-18-718~~)) 248-18-719. Receptacles and other electrical devices other than ceiling lights not recommended.

(8) SERVICE AND SUPPORT FACILITIES.

(a) NURSE STATION OR CONTROL FACILITIES WITH SPACE FOR CLERICAL FUNCTIONS, TELEPHONES, confidential staff communication.²⁴

(b) STANDARDS FOR NURSING UNIT IN WAC 248-18-530 (9)(b), (d), (e), (g), (h), (i), (j), and (k) apply.

(c) MEDICINE DISTRIBUTION OR STORAGE FACILITIES WITH PROVISIONS FOR SECURITY AGAINST UNAUTHORIZED ACCESS. Refer to WAC ((~~248-18-710(+)~~)) 248-18-711(7).

(d) Time out room, optional. SHALL MEET REQUIREMENTS OF SECLUSION ROOM IF INCLUDED.

(e) EXAMINATION AND TREATMENT ROOM SHALL MEET REQUIREMENTS IN WAC 248-18-530 (9)(l). LOCATED ON UNIT OR WITHIN SAME BUILDING.

(9) Treatment room for electroconvulsive therapy (ECT) REQUIRED WHEN ECT PERFORMED UNLESS SURGERY, RECOVERY OR OTHER ROOM(S) MEETING FOLLOWING REQUIREMENTS ARE AVAILABLE.²⁴

(a) MINIMUM DIMENSION OF TWELVE FEET AND MINIMUM AREA OF ONE HUNDRED FIFTY SQUARE FEET.

(b) EQUIPMENT:
EMERGENCY CALL.
LAVATORY OR SINK.
TREATMENT LIGHT.⁶
STORAGE FOR SUPPLIES AND EQUIPMENT.^{6, 18}

ROBE HOOK AND SHELF.
SPACE AND ELECTRICAL RECEPTACLE(S) FOR ECT MACHINE.
OXYGEN OUTLET.
SUCTION OUTLET.
STRETCHER OR TREATMENT TABLE OR EQUIVALENT.²⁴

SPACE FOR EMERGENCY MEDICAL SUPPLIES AND EQUIPMENT (CRASH CART).²⁴

SPACE FOR ANESTHESIA MACHINE OR CART AND EQUIPMENT.

SPACE FOR EKG MONITOR.²⁴
CLOCK WITH SWEEP SECOND HAND.

(10) RECOVERY FACILITY^{14, 24}; REQUIRED IF ECT IS PROVIDED.²⁴ May use post anesthesia recovery room or other room provided with following:

(a) Located near ECT treatment facilities.
(b) OXYGEN OUTLET FOR EACH BED, STRETCHER OR CART. SUCTION OUTLET FOR EACH BED, STRETCHER OR CART.

(c) Clean and soiled utility or material rooms may be combined with other suitable facilities, if properly located.

(11) SOCIAL FACILITIES.

(a) AT LEAST TWO SEPARATE ROOMS.

(i) QUIET ACTIVITY ROOM.

(ii) NOISY RECREATION/ACTIVITY ROOM.

(b) DINING AREA²⁴ - may be shared with other areas. Centralized or decentralized.

(c) COMBINED ROOMS AND AREAS NOT LESS THAN FOUR HUNDRED SQUARE FEET.²⁴ FOR EVERY PLANNED PATIENT OCCUPANCY OF UNIT OVER EIGHT, ADD TWENTY SQUARE FEET PER PATIENT.

(d) Outside court or activity area, recommended.

(12) OTHER TREATMENT FACILITIES.

(a) GROUP ROOM MINIMUM AREA OF TWO HUNDRED FIFTY SQUARE FEET.

(b) INTERVIEW AND CONSULTATION ROOM(S).

(i) May be within psychiatric unit or immediately accessible to it.

(ii) Eighty square feet in each room.

(iii) ONE ROOM FOR EACH TWELVE PSYCHIATRIC BEDS OR MAJOR FRACTION THEREOF.

(iv) May be combined with examination and treatment room.

(c) OCCUPATIONAL THERAPY SPACE(S) and/or recreational therapy space(s):

(i) LOCATED WITHIN PSYCHIATRIC UNIT OR IN AN ACCESSIBLE AREA. One room of at least three hundred square feet recommended.

(ii) May serve more than one nursing unit if properly located.

(iii) May be combined with a social activity area.

(iv) EQUIPMENT:
SINK plaster trap recommended.
WORK COUNTER(S).⁶
STORAGE CABINETS.⁶

DISPLAY CABINETS⁶ AND AREAS.

(13) PATIENT LAUNDRY FACILITIES OR EQUIVALENT.²⁴

EQUIPMENT:
AUTOMATIC WASHER AND DRYER.
SINK AND COUNTER.⁶

Drying facilities.
Storage cabinet⁶, including storage for ironing equipment.

Ironing facilities.⁶

Notes:

⁶ May be moveable equipment.

⁷ See GENERAL REQUIREMENTS FOR SERVICE FACILITIES, WAC ((~~248-18-710(+)~~)) 248-18-711(7).

¹⁴ See RECOVERY UNIT, WAC 248-18-560.

¹⁸ See GENERAL REQUIREMENTS FOR SERVICE FACILITIES, WAC ((~~248-18-710(+)~~)) 248-18-711(10), STORAGE FACILITIES.

²⁴ In accordance with program.

AMENDATORY SECTION (Amending Order 267, filed 9/20/83)

WAC 248-18-555 INTENSIVE CARE UNIT. Optional. SHALL MEET REQUIREMENTS, IF INCLUDED. (REQUIREMENTS IN CAPITAL LETTERS - See WAC 248-18-515.)

(1) STANDARDS FOR NURSING UNIT (WAC 248-18-530) APPLY EXCEPT FOR THE FOLLOWING:

(a) MAXIMUM CAPACITY OF SIX BEDS PERMISSIBLE IN PATIENT ROOMS DESIGNED FOR INTENSIVE CARE.

(b) Bathing facilities, optional.

(c) VARIATIONS MAY BE PERMITTED IN GENERAL DESIGN REQUIREMENTS, IN EXTENT AND ARRANGEMENT OF FACILITIES, AND IN COMBINATIONS OF FACILITIES FOR FUNCTIONS ALLOTTED SEPARATE SPACES OR ROOMS IN THE NURSING UNIT STANDARDS, PROVIDED THE RESULTING PLAN PROVIDES FACILITIES FOR ALL BASIC FUNCTIONS AND WILL NOT COMPROMISE THE BEST STANDARDS OF MEDICAL AND NURSING PRACTICE.

(2) Acute cardiac care unit.

(a) LOCATION. LOCATED TO AVOID THROUGH TRAFFIC AND PENETRATION OF OBJECTIONABLE HEAT OR NOISE OR ODORS FROM OTHER AREAS OF THE HOSPITAL AND TO MINIMIZE POTENTIAL FOR INTERFERENCE WITH ELECTRONIC MONITORING EQUIPMENT.

ALL ROOMS AND AREAS WITHIN THE UNIT ON THE SAME FLOOR.

Located adjacent to another unit or service from which additional assistance is always available.

(b) PATIENT ROOM.

(i) ROOM. MAXIMUM CAPACITY OF TWO BEDS FOR PATIENT ROOMS. AT LEAST ONE SINGLE ROOM FOR EVERY THREE BEDS.

(ii) LOCATION OF ROOMS AND PLACEMENT OF BEDS IN ROOMS TO PROVIDE FOR DIRECT VISIBILITY OF PATIENTS FROM NURSES' STATION UNLESS THERE IS PROVISION FOR INDIRECT VIEWING OF PATIENTS FROM NURSES' STATION BY MIRROR SYSTEM OR TELEVISION.

(iii) AT LEAST ONE HUNDRED FIFTY SQUARE FEET USABLE FLOOR SPACE IN ONE-BED ROOM AND ONE HUNDRED THIRTY-FIVE SQUARE FEET USABLE FLOOR SPACE PER BED IN MULTIBED ROOMS. ARRANGEMENT OF ROOMS SHALL ALLOW SPACING OF AT LEAST FOUR FEET BETWEEN SIDE OF A BED AND WALL AND AT LEAST SIX FEET BETWEEN THE FOOT OF A BED AND A WALL. MULTIBED ROOMS SHALL BE ARRANGED TO PROVIDE AT LEAST EIGHT FEET BETWEEN BEDS.

WHERE CONSTRUCTION IS TO BE AN ALTERATION PROJECT AND STRUCTURAL

CHANGES NECESSARY TO MEET THESE REQUIREMENTS ARE INFEASIBLE OR ECONOMICALLY IMPRACTICABLE, THE FOLLOWING MAY BE ACCEPTED: ONE HUNDRED THIRTY-FIVE SQUARE FEET USABLE FLOOR SPACE IN EACH ONE-BED ROOM; ONE HUNDRED TWENTY-FIVE SQUARE FEET PER BED IN MULTIBED ROOMS; FOUR FEET SPACE BETWEEN SIDE OF A BED AND A WALL; FIVE FEET SPACE BETWEEN THE FOOT OF A BED AND A WALL; AND SIX FEET SPACE BETWEEN BEDS IN A MULTIBED ROOM.

(iv) ACOUSTICAL TREATMENT OF PATIENT ROOMS TO MINIMIZE SOUND TRANSFERENCE.

(c) PATIENT ROOM EQUIPMENT.

(i) LAVATORY WITHIN EACH PATIENT ROOM.

(ii) CLOSET OR LOCKER PER EACH BED FOR PATIENT CLOTHING, LUGGAGE, ETC. May be in or adjacent to patient room.

(iii) SEPARATE STORAGE PER BED FOR EXTRA PILLOWS AND BLANKETS. May be combined with closet or locker.

(iv) OXYGEN OUTLET ADJACENT TO EACH BED.

(v) SUCTION OUTLET ADJACENT TO EACH BED.

(A) Two suction outlets per bed recommended.

(B) Compressed air outlet adjacent to each bed recommended.

(vi) CUBICLE CURTAINS COMPLETELY SCREENING EACH BED OR AN EQUIVALENT MEANS FOR PROVIDING PRIVACY FOR EACH BED IN ALL MULTIBED PATIENT ROOMS.

(vii) CURTAINS OR EQUIVALENT MEANS FOR PROVIDING VISUAL PRIVACY FOR EACH PATIENT AT ALL WINDOWS IN PATIENT ROOM DOORS, INTERIOR PARTITIONS, AND EXTERIOR WINDOWS.

(viii) AN INDIVIDUAL SWITCH FOR EACH PATIENT ROOM TELEVISION CAMERA OR AN EQUIVALENT MEANS FOR ENSURING VISUAL PRIVACY AS INDICATED FOR EACH PATIENT WHO MAY BE VISUALLY MONITORED BY TELEVISION.

(ix) ELECTROCARDIOGRAPHIC MONITOR WITH OSCILLOSCOPE (AT LEAST FIVE-INCH WIDTH) AND AUDIO ALARM SYSTEM FOR EACH BED.

(x) Overhead tracks or wall-mounted supports for suspension of parenteral solution containers at each bed.

(xi) Wall-mounted sphygmomanometer per patient bed.

(xii) Telephone jack. Permanent telephone installations not recommended.

(xiii) MEDICAL EMERGENCY SIGNAL DEVICE IN EACH PATIENT ROOM TO REGISTER AT LOCATION FROM WHICH ADDITIONAL ASSISTANCE IS ALWAYS AVAILABLE. (Such emergency signal device recommended for each bed.)

(d) PATIENT TOILET AND BATHING FACILITIES.

(i) AT LEAST ONE COMMUNAL TOILET PER SIX BEDS OR FRACTION THEREOF ON THE UNIT OR AN ADJACENT NURSING UNIT UNLESS A TOILET ADJOINS EACH PATIENT ROOM.

(ii) GRAB BARS AT EACH BATHING FACILITY AND WATER CLOSET FOR PATIENT USE.

(e) NURSES' STATION.

(i) SEPARATE STATION FOR UNIT HAVING FIVE BEDS OR MORE. For subsidiary unit of less than five beds, may be combined with nurses' station of other nursing unit provided nurses' station is in close proximity to acute cardiac care unit patient rooms and provides sufficient space to accommodate staff and equipment for acute cardiac care.

(A) Designed for auditory privacy.

(B) LOCATED FOR DIRECT VISIBILITY OF EACH PATIENT UNLESS MIRROR SYSTEM OR TELEVISION IS PROVIDED FOR VISUAL OBSERVATION OF PATIENTS.

(ii) EQUIPMENT.

(A) "SLAVE" OSCILLOSCOPE WITH AUDIO ALARM FOR CONTINUOUS DISPLAY OF EACH PATIENT'S ELECTROCARDIOGRAM.

(B) RATE METER (Cardio-Tachometer).

(C) DIRECT WRITING ELECTROCARDIOGRAPHIC "STRIP" RECORDER. Electrocardiographic memory recorder.

(D) TELEPHONE.

(E) NURSE CALL ANNUNCIATOR.

(F) Rack for patient charts.

(G) CHARTING SURFACE FOR NURSES AND PHYSICIANS TO ACCOMMODATE AT LEAST ONE NURSE PER TWO PATIENT BEDS AND ONE PHYSICIAN PER FOUR PATIENT BEDS. Separate charting area for physicians recommended.

(H) Storage for charting supplies.

(I) WALL-MOUNTED CLOCK WITH SWEEP SECOND HAND, PROPERLY LOCATED.

(J) Bulletin board.

(f) UTILITY OR WORK ROOM.⁷ SEPARATE FOR UNIT HAVING FIVE BEDS OR MORE. For subsidiary unit of less than five beds, may be combined with utility or work room of other nursing unit if in close proximity to patient rooms for coronary care.

Central to beds served and convenient to the nurses' station, medicine area, and linen storage.

(g) MEDICINE AREA.⁷ For subsidiary unit of less than five beds, may be combined with medicine area of other nursing unit if in close proximity to patient rooms.

(h) LINEN STORAGE.¹⁸

SHELVING, CART OR EQUIVALENT IN CLEAN AREA. For subsidiary unit of less than five beds, may be combined with linen storage of other nursing unit if in close proximity to patient rooms.

(i) Conference Room.

(j) Family Waiting Room.

Outside but adjacent to unit.

Telephone located in or adjacent to room.

(k) STANDARDS FOR NURSING UNIT, WAC 248-18-530 (9)(e), (g), (h), (i), (j), and (k) APPLY TO OTHER FACILITIES OF THE CORONARY CARE UNIT.

Notes:

⁷See GENERAL REQUIREMENTS FOR SERVICE FACILITIES, WAC ((~~248-18-710~~)) 248-18-711.

¹⁸See GENERAL REQUIREMENTS FOR SERVICE FACILITIES, WAC ((~~248-18-710(3)~~)) 248-18-711(10), STORAGE FACILITIES.

AMENDATORY SECTION (Amending Order 2302, filed 11/13/85)

WAC 248-18-560 RECOVERY UNIT. Optional. SHALL MEET REQUIREMENTS, IF INCLUDED. (REQUIREMENTS IN CAPITAL LETTERS - SEE WAC 248-18-515.)

(1) LOCATION.

(a) LOCATED TO AVOID THROUGH TRAFFIC.

(b) Located in or near clinical department assuming responsibility.

(2) PATIENT CARE AREA.

(a) ROOM OR ROOMS WITH AT LEAST EIGHTY SQUARE FEET PER BED, STRETCHER, OR CART.

(b) CUBICLE CURTAIN TRACKS OR EQUIVALENT.

(c) EQUIPMENT FOR EACH PATIENT STATION:

(i) OXYGEN OUTLET. Two recommended.

(ii) TWO SUCTION OUTLETS.

(iii) MEDICAL EMERGENCY SIGNALLING DEVICE.⁵⁶

(iv) SIX SINGLE OR THREE DUPLEX ELECTRICAL RECEPTACLES.

(v) OVERHEAD LIGHTING.

(vi) Medical air.

(d) LAVATORY LOCATED CONVENIENT TO EVERY SIX PATIENT STATIONS.

(e) STORAGE, SHELVES, DRAWERS, OR EQUIVALENT AND CHARTING SURFACE AT EACH PATIENT STATION.⁶

(f) Isolation room.

(i) LAVATORY OR SINK.

(ii) ONE OXYGEN OUTLET.

(iii) TWO SUCTION OUTLETS.

(iv) MEDICAL EMERGENCY SIGNALLING DEVICE.⁵⁶

(v) ONE HUNDRED TWENTY SQUARE FEET. One hundred fifty square feet recommended.

(vi) CLOCK.

(vii) Access from both outside and inside recovery unit.

(viii) Relites from isolation room into recovery unit.

(ix) Capability to change or switch from negative to positive pressure gradient.

(x) Curtain tracks or equivalent.

(xi) Medical air.

(xii) LIGHTING OVER PATIENT STATION.

(xiii) SIX SINGLE OR THREE DUPLEX ELECTRICAL RECEPTACLES.

(xiv) CLINIC SERVICE SINK OR WATER CLOSET WITH BEDPAN RINSING/FLUSHING ATTACHMENT ADJOINING ROOM.

(3) SERVICE FACILITIES.

(a) ADEQUATE SPACE, IN ADDITION TO REQUIRED PATIENT CARE AREA, IF LOCATED IN SAME ROOM AS PATIENT CARE AREA.

(b) CLEAN UTILITY OR MATERIALS. May be located in patient care room or adjoining room or rooms.

(i) WORK SURFACE.

(ii) SINK.

(iii) LOCKED DRUG STORAGE INCLUDING SEPARATELY LOCKED STORAGE FOR CONTROLLED SUBSTANCES - See WAC ((~~248-18-710~~ ~~(1)(b)~~)) 248-18-711(7).

(iv) STORAGE UNIT.^{6, 18}

(v) REFRIGERATOR. Ice dispenser.⁶

(vi) LINEN STORAGE.^{6, 18}

(vii) EQUIPMENT STORAGE.^{6, 18}

(viii) Warmer for blankets and solutions.

(c) SOILED UTILITY OR SOILED MATERIALS ROOM⁷, LOCATED WITH DIRECT ENTRY FROM RECOVERY UNIT. May be shared with clean-up facilities of the surgical suite or combined surgical/obstetrical suite provided there is a direct entry from each.

(d) CHARTING SURFACE.⁶ May be shelf, desk, or equivalent.

STAFF TOILET. May be in or convenient to unit.

(f) HOUSEKEEPING FACILITIES.⁵

[(e)] Suitable combination with other housekeeping facilities permitted if convenient to recovery unit.

Notes:

⁵See GENERAL REQUIREMENTS FOR SERVICE FACILITIES, WAC ((~~248-18-710~~ ~~(5)~~)) 248-18-711(6), HOUSEKEEPING FACILITIES.

⁶May be movable equipment.

⁷See GENERAL REQUIREMENTS FOR SERVICE FACILITIES, WAC ((~~248-18-710~~ ~~(2)(c)~~ AND ~~(d)~~)) 248-18-711 (8) or (9), SOILED UTILITY OR MATERIALS ROOM.

¹⁸See GENERAL REQUIREMENTS FOR SERVICE FACILITIES, WAC ((~~248-18-710~~ ~~(3)~~)) 248-18-711(10), STORAGE FACILITIES.

⁵⁶See GENERAL DESIGN REQUIREMENTS, WAC ((~~248-18-718~~ ~~(1)(b)(iii)~~)) 248-18-719, Table 719-6.

AMENDATORY SECTION (Amending Order 2302, filed 11/13/85)

WAC 248-18-565 SURGERY SUITE.⁸ Optional. SHALL MEET REQUIREMENTS IF INCLUDED. (REQUIREMENTS IN CAPITAL LETTERS - SEE WAC 248-18-515.)

(1) SURGERY SUITE, GENERAL.

(a) A SEPARATE SEGREGATED UNIT UNLESS SURGERY AND OBSTETRICAL DELIVERY FACILITIES ARE IN A COMBINED SUITE, IN ACCORD WITH WAC ((~~248-18-600~~)) 248-18-601. TO INCLUDE OPERATING ROOMS AND ANCILLARY FACILITIES ESSENTIAL TO THE PROPER FUNCTIONING OF THE OPERATING ROOMS. ANCILLARY FACILITIES TO BE LOCATED OUTSIDE OPERATING ROOMS AND, IF A COMBINED SUITE, OUTSIDE DELIVERY ROOMS.

(b) LOCATED TO PREVENT TRAFFIC THROUGH SURGERY SUITE TO ANY OTHER AREA OF THE HOSPITAL AND TO FACILITATE TRANSFER OF PATIENTS TO SURGICAL NURSING UNITS AND, IF A COMBINED SUITE, TO OBSTETRICAL NURSING UNIT.

(c) SUITE TO INCLUDE NO FACILITIES (such as central sterilizing and processing service facilities) SERVING OTHER AREAS OF THE HOSPITAL AND THEREBY CREATING TRAFFIC UNNECESSARY TO THE SURGICAL SUITE, EXCEPT AS PROVIDED FOR IN WAC ((~~248-18-600~~)) 248-18-601 FOR COMBINED SURGERY/OBSTETRICAL DELIVERY SUITE.

(d) NUMBER AND TYPES OF OPERATING ROOMS TO BE PREDICATED UPON THE TYPES OF SURGERY TO BE PERFORMED AND THE ANTICIPATED SURGERY CASELOAD.

(e) ARRANGED TO PREVENT TRAFFIC THROUGH AN OPERATING ROOM OR OBSTETRICAL DELIVERY ROOM TO OTHER AREAS OF THE SUITE, EXCEPT DIRECTLY CONNECTING SUBSTERILIZING ROOM SERVING ONLY OPERATING ROOMS OR OBSTETRICAL DELIVERY ROOMS TO WHICH IT CONNECTS.

(f) ANY ROOMS IN THE SUITE PLANNED TO SERVE FOR OUTPATIENT SURGERY LOCATED SO PENETRATION OF THE SUITE BY THE PUBLIC IS LIMITED.

(g) CONDUCTIVITY METER WITHIN SUITE REQUIRED ONLY IF OPERATING ROOMS DESIGNED FOR USE OF FLAMMABLE ANESTHETICS.⁶

(h) MEDICAL EMERGENCY SIGNALLING DEVICE - SEE WAC ((~~248-18-718~~ ~~(1)(b)~~)) 248-18-719(4) and Table 719-6.

(2) MAJOR OPERATING ROOM.

(a) AT LEAST ONE MAJOR OPERATING ROOM.

(b) MINIMUM DIMENSION AT LEAST EIGHTEEN FEET.²⁴ Twenty feet or more recommended.

MINIMUM CLEAR AREA AT LEAST THREE HUNDRED SIXTY SQUARE FEET EXCLUSIVE OF FIXED AND MOVABLE CABINETS AND SHELVES.²⁴

(c) EQUIPMENT:

(i) OVERHEAD SURGERY LIGHT.

(ii) TWO X-RAY FILM ILLUMINATORS.⁶

(iii) ELECTRIC CLOCK WITH SWEEP SECOND HAND OR EQUIVALENT AND INTERVAL TIMER.

(iv) STORAGE FOR SURGICAL SUPPLIES.^{6, 18}

(v) TWO SUCTION OUTLETS.

(vi) TWO OXYGEN OUTLETS.

(vii) SEPARATE WASTE GAS EVACUATION SYSTEM.

(viii) Work surface.⁶

(ix) Medical gases and medical air.²⁴

(3) Minor operating room.

(a) All operating rooms should be designed as major operating rooms to achieve maximum flexibility in use. However, in large or specialty hospitals a large volume

of minor surgery may make inclusion of minor operating rooms practical.

(b) MINIMUM DIMENSION AT LEAST FIFTEEN FEET.

MINIMUM CLEAR AREA AT LEAST TWO HUNDRED SEVENTY SQUARE FEET EXCLUSIVE OF FIXED AND MOVABLE CABINETS AND SHELVES.

(c) EQUIPMENT:

(i) OVERHEAD SURGERY LIGHT OR EQUIVALENT.²⁴

(ii) TWO X-RAY ILLUMINATORS.⁶

(iii) ELECTRIC CLOCK WITH SWEEP SECOND HAND OR EQUIVALENT AND INTERVAL TIMER.²⁴

(iv) STORAGE FOR SURGICAL SUPPLIES.^{6, 18}

(v) TWO SUCTION OUTLETS.

(vi) TWO OXYGEN OUTLETS.

(vii) SEPARATE WASTE GAS EVACUATION SYSTEM.

(viii) Work surface.⁶

(ix) Medical gases and medical air.²⁴

(4) Cystoscopy facilities.

(a) Cystoscopy operating room.

(i) May be in suitable location outside surgery suite.

(ii) MINIMUM DIMENSION AT LEAST FIFTEEN FEET.

MINIMUM CLEAR AREA OF TWO HUNDRED SEVENTY SQUARE FEET EXCLUSIVE OF FIXED AND MOVABLE CABINETS AND SHELVES.²⁴

(iii) IF LOCATED OUTSIDE SURGERY SUITE, PROVIDE ONE SCRUB SINK OUTSIDE THE ENTRANCE AND FACILITIES FOR CLEANING AND STERILIZATION IN SOILED AND CLEAN UTILITY ROOMS.

(iv) EQUIPMENT:

(A) SURGERY LIGHT.²⁴

(B) TWO X-RAY FILM ILLUMINATORS.⁶

(C) Work surface.⁶

(D) STORAGE FOR SURGICAL SUPPLIES.^{6, 18}

(E) ELECTRIC CLOCK WITH SWEEP SECOND HAND OR EQUIVALENT AND INTERVAL TIMER.²⁴

(F) X-RAY UNIT⁶ - preferably mounted on urological table.

(G) TWO OXYGEN OUTLETS.

(H) TWO SUCTION OUTLETS.

(I) Flushing rim type floor drain may be permitted; PROVIDED DRAIN SYSTEM IS SPECIFICALLY DESIGNED FOR EASY ACCESS FOR CLEANING DRAIN AND TRAP.

(J) SEPARATE WASTE GAS EVACUATION SYSTEM.

(b) Darkroom or equivalent.

(c) Adjoining toilet, wheelchair accessible, if outside surgery suite.

(5) SEPARATE PATIENT HOLDING AREA.²⁴

(a) May be omitted in hospitals with only one operating room.

(b) ROOM OR ALCOVE OUT OF TRAFFIC.

(c) LOCATED FOR DIRECT VISIBILITY OF EACH PATIENT.²⁴

(d) IF SURGICAL PREPS AND INDUCTIONS DONE, PROVIDE LAVATORY OR SINK, WORK COUNTERS, AND CUBICLE CURTAINS OR EQUIVALENT.

(e) OXYGEN AND SUCTION OUTLETS.

(f) MEDICAL EMERGENCY SIGNALLING DEVICE - SEE WAC ((~~248-18-718~~-(1)(b))) 248-18-719(4) and Table 719-6.

(6) SCRUB-UP AREA.

(a) ADJACENT TO EACH OPERATING ROOM.

(b) DIRECT ACCESS TO EACH OPERATING ROOM.

(c) EQUIPMENT:

(i) AT LEAST THREE SCRUB SINKS FOR EACH TWO OPERATING ROOMS, BUT IN NO CASE LESS THAN TWO SCRUB SINKS.

(ii) DETERGENT DISPENSER OR EQUIVALENT.⁶ FOOT CONTROL OR EQUIVALENT IF LIQUID DISPENSER.

(iii) BRUSH DISPENSER OR EQUIVALENT.²⁴

(iv) SHELF.

(v) TOWEL DISPENSER OR EQUIVALENT.²⁴

(vi) CLOCK WITHIN VIEW FROM SCRUB SINKS.

(7) CLEAN-UP FACILITIES WITH A SINK WITH ACCESSIBLE PLASTER TRAP. Sink with plaster trap may be in other appropriate soiled area.¹⁰

(8) CLEAN WORKROOM.

(a) May be omitted if written program defines a supply and equipment system eliminating need for preparation and assembly within the suite.

(b) EQUIPMENT:

(i) Lavatory.

(ii) WORK COUNTERS OR TABLES OR EQUIVALENT.⁶

(iii) STORAGE FOR SUPPLIES AND SMALL EQUIPMENT.^{6, 18}

(9) STERILIZING FACILITIES.

(a) HIGH SPEED STERILIZERS WITH RECORDING THERMOMETERS AND AUTOMATIC CONTROLS OF SUFFICIENT CAPACITY TO ACCOMMODATE SUPPLIES AND EQUIPMENT TO BE STERILIZED IN SUITE.

(b) MINIMUM OF ONE STERILIZER¹¹ IN EACH SURGERY SUITE.

(c) IF PRACTICE OF STERILIZING UNWRAPPED SETS OF INSTRUMENTS IS TO BE FOLLOWED, A SUFFICIENT NUMBER OF STERILIZERS¹² ACCESSIBLE FOR MAINTENANCE, SHALL BE LOCATED TO PROVIDE DIRECT ACCESS TO EACH OPERATING ROOM AND OBSTETRICAL DELIVERY ROOM FROM A STERILIZING FACILITY.

(10) SOLUTION WARMER.^{6, 24}

(11) STORAGE FACILITIES.¹⁸

(a) CLEAN SUPPLY ROOM;

(b) INSTRUMENTS. May be located in clean supply room;

(c) DRUGS - SEE WAC ((~~248-18-710~~(1))) 248-18-711(7). May be located in anesthesia work room or in clean supply room;

(d) LINEN.⁶ May be located in clean supply room;

(e) BLOOD REFRIGERATION unless satisfactory provision elsewhere;

(f) SOLUTIONS;

(g) STERILE SUPPLIES;

(h) LARGE AND SMALL EQUIPMENT;

(i) STRETCHERS. Space for one stretcher per operating room or delivery room;

(j) PORTABLE X-RAY unless suitable provision for storage elsewhere.

(12) ANESTHESIA STORAGE - MACHINES AND CARTS¹³ unless satisfactory provision elsewhere.

(13) Anesthesia workroom.

(a) IF CLEANING OF ANESTHESIA EQUIPMENT TO BE DONE, DESIGNED FOR SEPARATION OF SOILED AND CLEAN FUNCTIONS. Soiled room may be omitted if cleaning function to occur in clean-up or decontamination room in central processing.

(b) CLEAN ROOM.

(i) WORK COUNTERS.⁶

(ii) STORAGE FOR ANESTHESIA SUPPLIES AND SMALL EQUIPMENT.⁶

(iii) SPACE FOR TESTING AND STORAGE OF ANESTHESIA MACHINES AND EQUIPMENT WITH ADEQUATE ELECTRICAL OUTLETS.²⁴

(iv) LAVATORY OR SINK FOR HANDWASHING.

(c) SOILED ROOM. May be omitted if cleaning to be done in clean-up or decontamination room or soiled processing areas elsewhere in the hospital.

(i) WORK COUNTERS.

(ii) DOUBLE COMPARTMENT SINK.

(iii) STORAGE FOR CLEANING SUPPLIES AND EQUIPMENT.

(iv) Space for anesthesia carts.²⁴

(14) ADMINISTRATIVE FACILITIES.

(a) CONTROL STATION.²⁴

(i) LOCATED TO PERMIT COORDINATION OF FUNCTIONS AMONG OPERATING ROOMS and to permit visual surveillance of traffic entering suite.

(ii) TELEPHONE.

(iii) ANNUNCIATOR FOR EMERGENCY SIGNALING DEVICE UNLESS LOCATED IN ALTERNATE LOCATION FROM WHICH ADDITIONAL ASSISTANCE IS ALWAYS AVAILABLE.⁵⁶

(b) SUPERVISOR'S OFFICE PROVIDING PRIVACY. May be combined with control station.²⁴

(c) Surgery schedule board or equivalent.

(d) Dictating facilities.

(e) CONFERENCE ROOM FOR CONFIDENTIAL COMMUNICATION.²⁴ May be combined with other facilities, as appropriate.

(15) STAFF FACILITIES.

(a) LOCATED AND ARRANGED FOR ACCESS FROM OUTSIDE SUITE TO CLOTHING CHANGE AREA PRIOR TO ENTERING SUITE.

(b) LOCKER ROOM OR ROOMS, TOILET OR TOILETS, SHOWER OR SHOWERS, AND LOUNGE OR LOUNGES.

(i) Lockers, secured spaces, or equivalent predicated upon daily average volume or flow of personnel, medical staff, and others to and from surgical suite.²⁴

(ii) STORAGE SPACE FOR SCRUB CLOTHING.^{6, 18}

(iii) SPACE FOR COLLECTION RECEPTACLES FOR SOILED SCRUB CLOTHING.

(16) HOUSEKEEPING FACILITIES.⁵

(17) RECOVERY OR POST ANESTHESIA CARE UNIT.²⁴

(18) Viewing gallery.

ACCESS TO GALLERY NOT THROUGH AN OPERATING ROOM OR OBSTETRICAL DELIVERY ROOM and outside of suite.

GLASS SEPARATION BETWEEN GALLERY AND OPERATING ROOM OR OBSTETRICAL DELIVERY ROOM.

Notes:

⁵See GENERAL REQUIREMENTS FOR SERVICE FACILITIES, WAC ((~~248-18-710(5)~~)) 248-18-711(6), HOUSEKEEPING FACILITIES.

⁶May be movable equipment.

⁸Where combustible anesthetic is to be used, see FLOOR FINISHES, WAC ((~~248-18-718~~)) 248-18-719(5); VENTILATION, WAC ((~~248-18-718(8)~~)) 248-18-719(2); and ELECTRICAL SYSTEMS, WAC ((~~248-18-718(10)~~)) 248-18-719(4).

¹⁰See GENERAL REQUIREMENTS FOR SERVICE FACILITIES, WAC ((~~248-18-710(4)~~)) 248-18-711(2), CLEAN-UP FACILITIES.

¹¹May be instrument sterilizer (high speed recommended) if only instruments are to be sterilized within the suite.

¹²May be instrument pressure sterilizer (high speed recommended) or instrument washer-sterilizer.

¹³See RECEIVING, STORES, AND DISTRIBUTION, WAC 248-18-700(10), FLAMMABLE ANESTHETIC STORAGE.

¹⁴See Recovery Unit, WAC 248-18-560.

¹⁸See GENERAL REQUIREMENTS FOR SERVICE FACILITIES, WAC ((~~248-18-710(3)~~)) 248-18-711(10), STORAGE FACILITIES.

²⁴In accordance with program.

⁵⁶See GENERAL DESIGN REQUIREMENTS, WAC ((~~248-18-718(11)(b)(iii)~~)) 248-18-719(4) and Table 719-6.

AMENDATORY SECTION (Amending Order 2302, filed 11/13/85)

WAC 248-18-568 FACILITIES FOR ONE-DAY PATIENT CARE. Optional. SHALL MEET REQUIREMENTS, IF INCLUDED.

(1) LOCATED FOR CONVENIENT TRANSFER TO AND FROM A SURGICAL SUITE.²⁴

(2) WAITING ROOM OR AREA FOR FAMILY MEMBERS. May be combined with other waiting areas, if in close proximity.

(3) PATIENT CARE ROOM OR ROOMS.

(a) DIRECTLY ACCESSIBLE FROM CORRIDOR.

(b) ONE-BED ROOM OR ROOMS WITH ONE HUNDRED SQUARE FEET PER ROOM.

(c) MULTI-BED ROOM OR ROOMS WITH AT LEAST EIGHTY SQUARE FEET PER EACH BED, STRETCHER, OR EQUIVALENT. THIS SPACE MAY INCLUDE SUPPORT FACILITIES PERMITTED WITHIN THE ROOM, THREE FEET CLEAR SPACE BETWEEN EACH BED, STRETCHER, OR EQUIVALENT.

(d) EQUIPMENT.

(i) OXYGEN OUTLET AT HEAD OF EACH BED, STRETCHER, OR EQUIVALENT.

(ii) SUCTION OUTLET AT HEAD OF EACH BED, STRETCHER, OR EQUIVALENT.

(iii) NURSE CALL SIGNAL DEVICE AT EACH BED, STRETCHER, OR EQUIVALENT. SEE WAC ((~~248-18-718 (11)(b)(i) and (ii)~~)) 248-18-719(4) and Table 719-6.

(iv) CLOSET, LOCKER, OR EQUIVALENT PER EACH BED, STRETCHER, OR EQUIVALENT FOR PATIENT CLOTHING. May be in or adjacent to the patient care room or rooms.

(v) LAVATORY.

(vi) MEDICAL EMERGENCY SIGNALLING DEVICE.⁵⁶

(vii) CUBICLE CURTAIN TRACKS OR RAILS OR EQUIVALENT TO PROVIDE COMPLETE SCREENING OF EACH BED, STRETCHER, OR EQUIVALENT TO PROVIDE VISUAL PRIVACY FOR EACH PATIENT IN MULTI-BED ROOMS.

(4) SERVICE FACILITIES LOCATED IN PATIENT CARE ROOM OR ROOMS OR ADJOINING ROOM OR ROOMS OR AREAS.

(a) SINK OR LAVATORY if service facility outside patient care room.

(b) WORK COUNTER.⁶

(c) LOCKED DRUG STORAGE INCLUDING SEPARATELY LOCKED STORAGE FOR CONTROLLED SUBSTANCES.^{6, 24}

(d) STORAGE UNIT.^{6, 18}

(e) REFRIGERATOR.⁶

(f) LINEN STORAGE.⁶

(g) CHARTING SURFACE OR DESK.⁶

(h) TELEPHONE.

(5) SOILED UTILITY OR SOILED MATERIALS ROOM. REFER TO WAC ((~~248-18-710 (2)(c) and (d)~~)) 248-18-711 (8) and (9).

(6) PATIENT TOILET DESIGNED AND ARRANGED TO ACCOMMODATE A PATIENT IN A WHEELCHAIR.

(7) HOUSEKEEPING FACILITIES.⁵ Suitable combination with other housekeeping facilities permitted, if convenient to one-day patient care facilities.

(8) Predischarge area or lounge.

(a) Multipatient accommodation.

(b) Seventy square feet per patient space.

(c) Curtain tracks or equivalent to provide for visual privacy for patients.

(d) Access to toilet.

Notes:

⁵See GENERAL REQUIREMENTS FOR SERVICE FACILITIES, WAC ((~~248-18-710 (5)~~)) 248-18-711(6), HOUSEKEEPING FACILITIES.

⁶May be movable equipment.

¹⁸See GENERAL REQUIREMENTS FOR SERVICE FACILITIES, WAC ((~~248-18-710(3)~~)) 248-18-711(10), STORAGE FACILITIES.

²⁴In accordance with program.

⁵⁶See GENERAL DESIGN REQUIREMENTS, WAC ((~~248-18-718 (11)(b)(iii)~~)) 248-18-719(4) and Table 719-6.

AMENDATORY SECTION (Amending Order 269, filed 9/20/83)

WAC 248-18-640 INFANT FORMULA FACILITIES. Required only if hospital is to provide obstetrical or pediatric services. SHALL MEET REQUIREMENTS IF INCLUDED. (REQUIREMENTS ARE SHOWN IN CAPITAL LETTERS. SEE WAC 248-18-515.) FACILITIES LISTED UNDER EITHER SUBSECTION (1) OR (2) OF THIS SECTION ARE REQUIRED.

(1) FACILITIES FOR PREPARATION OF FORMULA IN HOSPITAL.

(a) Not required if services of a commercial formula service to be used exclusively.

(b) Located on obstetrical unit, pediatric unit, or in dietary department.

(c) LOCATED TO AVOID CONTAMINATION OF FORMULA.

(d) LOCATED TO PREVENT THROUGH TRAFFIC.

(e) DESIGNED TO PROVIDE SEPARATE CLEAN AND SOILED AREAS.

(i) SOILED AREA TO SERVE FOR RECEIVING AND WASHING OF GLASSWARE, NIPPLES, AND UTENSILS.

(ii) CLEAN AREA TO SERVE FOR PREPARATION, TERMINAL HEATING, AND STORAGE OF FORMULAS AND SPECIAL FLUIDS.

(f) BOTTLE AND UTENSIL WASHING AREA (SOILED AREA).

EQUIPMENT:

WORK COUNTER.

TWO-COMPARTMENT SINK (MOUNTED IN COUNTER OR INTEGRAL WITH COUNTER). Single compartment sink may serve if mechanical bottle washing machine is provided.

Mechanical nipple washer.

STORAGE FOR CLEANING AGENTS.

(g) FORMULA PREPARATION AREA (CLEAN AREA).

EQUIPMENT:

WORK COUNTER.

SINK (MOUNTED IN COUNTER OR INTEGRAL WITH COUNTER) - If formula is to be prepared for less than six infants per day, sink in washing area may serve if in same room and equipped with foot, knee, or elbow faucet control and gooseneck spout.

STORAGE FOR FORMULA INGREDIENTS, CLEAN BOTTLES, ETC. No cabinet should be immediately above formula preparation area.

HOT PLATE.⁶

EQUIPMENT FOR TERMINAL STERILIZATION.⁶ Sterilizing equipment in a suitable location elsewhere in hospital may be used.

REFRIGERATION.⁶ Not required if refrigerator for formula is provided in other suitable location.

(h) HOUSEKEEPING FACILITIES.⁵ Suitable combination with other housekeeping facilities permitted if convenient to infant formula facilities.

(2) FACILITIES REQUIRED WHEN COMMERCIAL FORMULA SERVICE USED.

(a) RECEIVING AND STORAGE AREA (CLEAN AREA). May be combined with dietary facilities or other suitable clean facilities.

EQUIPMENT:

COUNTER.

REFRIGERATOR.

(b) PICK-UP AREA (SOILED AREA). May be combined with other suitable facilities.

EQUIPMENT:

STORAGE FOR USED BOTTLES AND NIPPLES.

Counter.

Sink.

Notes:

⁵See GENERAL REQUIREMENTS FOR SERVICE FACILITIES, WAC ((248-18-710(5))) 248-18-711(6), HOUSEKEEPING FACILITIES.

⁶May be movable equipment.

AMENDATORY SECTION (Amending Order 269, filed 9/20/83)

WAC 248-18-645 EMERGENCY DEPARTMENT. Optional. SHALL MEET REQUIREMENTS, IF INCLUDED. (REQUIREMENTS IN CAPITAL LETTERS - SEE WAC 248-18-515.) REQUIRED IF HOSPITAL WILL OFFER EMERGENCY CARE SERVICES REGULARLY.

(1) EMERGENCY DEPARTMENT - GENERAL.⁸

(a) ON SAME FLOOR AS EMERGENCY PATIENTS' ENTRANCE.

(b) LOCATED FOR READY ACCESS FROM EMERGENCY PATIENT ENTRANCE.

(c) SEPARATE FROM SURGERY SUITE AND DELIVERY SUITE.

(d) LOCATED SO EMERGENCY TRAFFIC THROUGH INPATIENT AREAS WILL BE AVOIDED.

(e) Close to radiology department.

(f) NUMBERS, TYPES, AND EQUIPMENT OF ROOMS TO BE PREDICATED UPON THE SCOPE AND TYPES OF SERVICES TO BE OFFERED, AND THE ANTICIPATED PATIENT LOAD.

(g) CUBICLE CURTAINS OR AN EQUIVALENT MEANS FOR PROVIDING COMPLETE PRIVACY SCREENING FOR EACH EXAMINATION OR TREATMENT TABLE (OR CART) AND PATIENT BED IN EXAMINATION, TREATMENT, OR OBSERVATION ROOMS.

(h) AN EMERGENCY AUDIO ALARM SYSTEM WITH AN EMERGENCY ALARM SIGNAL DEVICE IN EACH TREATMENT, EXAMINATION, AND OBSERVATION ROOM. EMERGENCY AUDIO ALARM TO BE DISTINCT AND DIFFERENT FROM OTHER AUDIO SIGNALS AND ALARM SYSTEMS IN HOSPITAL. EMERGENCY AUDIO ALARM SYSTEM TO SOUND ALARM CALL INTO AN AREA OF HOSPITAL WHERE NURSING PERSONNEL ARE ON DUTY AT ALL TIMES. IN MULTIROOM EMERGENCY DEPARTMENT, EMERGENCY ALARM SYSTEM ALSO TO ACTIVATE A DISTINCT VISUAL SIGNAL AT DOOR OF ROOM FROM WHICH

ALARM IS SOUNDED SO PERSONS RESPONDING TO AUDIO ALARM CAN IMMEDIATELY IDENTIFY ROOM WHERE ASSISTANCE IS NEEDED.

(2) STRETCHER AND WHEELCHAIR STORAGE.

ADJACENT TO EMERGENCY DEPARTMENT ENTRANCE.

(3) RECEIVING AND TRIAGE AREA.

(a) ADJACENT TO EMERGENCY ENTRANCE.

(b) ADJACENT TO TREATMENT ROOMS.

(c) Sufficient space for triage in event of mass casualties.

(4) REGISTRATION AREA.

(a) OFFICE FACILITIES OR DESK SPACE FOR REGISTRATION LOCATED TO CONTROL ACCESS TO AREAS OF THE EMERGENCY DEPARTMENT WHERE EXAMINATION, TREATMENT, AND OBSERVATION ROOMS ARE LOCATED.

(b) CONVENIENT TO WAITING AREA.

(5) WAITING AREA.

(a) OUTSIDE AREA OF MAIN TRAFFIC FLOW IN EMERGENCY DEPARTMENT.

(b) May be combined with other waiting area in close proximity to emergency department.

(6) PUBLIC TOILETS.

Other public toilets may serve if close and easily accessible from the emergency department.

(7) Police, press, and ambulance attendants' room or rooms.

(a) OUTSIDE AREA OF MAIN TRAFFIC FLOW IN EMERGENCY DEPARTMENT.

(b) Equipped with desk and telephone.

(8) MAJOR EMERGENCY TREATMENT ROOM OR ROOMS.

(a) Number of rooms dependent upon anticipated volume of emergency services.

(b) AT LEAST ONE, MAJOR EMERGENCY TREATMENT ROOM.

(c) DIMENSIONS AND ARRANGEMENT OF EACH EMERGENCY TREATMENT ROOM TO PROVIDE A CLEAR SPACE AT LEAST FOUR FEET WIDE BETWEEN BOTH SIDES AND BOTH ENDS OF EACH TREATMENT TABLE (OR CART) AND ANY FIXED EQUIPMENT (CABINETS, SINKS, ETC.) OR MAJOR MOVABLE EQUIPMENT KEPT IN THE ROOM: PROVIDED HOWEVER, THE CLEAR SPACE BETWEEN TREATMENT TABLES (OR CARTS) SHALL BE AT LEAST EIGHT FEET WIDE. THE FLOOR SPACE ALLOWED FOR A TREATMENT TABLE SHALL BE AT LEAST EIGHTY INCHES BY THIRTY INCHES.

(d) Major emergency treatment room designed and equipped to accommodate at least two treatment tables if emergency department has only one major treatment room.

(e) EQUIPMENT:

STORAGE FOR CLEAN AND STERILE SUPPLIES, SMALL EQUIPMENT, AND DRUGS.^{6, 18}

CLEAN WORK COUNTER FOR ASSEMBLY AND PREPARATION OF CLEAN AND STERILE SUPPLIES AND EQUIPMENT FOR USE.⁶

SINK (MOUNTED IN, INTEGRAL WITH, OR ADJACENT TO CLEAN WORK COUNTER).

SCRUB SINK - EIGHT FEET APART OR PHYSICAL BARRIER SEPARATING FROM CLEAN WORK COUNTER AND STORAGE FOR CLEAN AND STERILE SUPPLIES AND EQUIPMENT AND DRUGS. Not required if a scrub sink is located outside but adjacent to emergency treatment room.

DETERGENT DISPENSER.⁶

SOILED WORK COUNTER FOR COLLECTION OF CONTAMINATED SUPPLIES AND EQUIPMENT.⁶

SINK WITH PLASTER TRAP - Not required if separate fracture room provided. Suitable combination with other sink in emergency department permitted.

TREATMENT LIGHT.⁶

SUCTION OUTLET.

OXYGEN OUTLET.

FILM ILLUMINATORS.⁶

OUTLET FOR PORTABLE X-RAY MACHINE.

CLOCK - WITH SWEEP SECOND HAND and interval timer.

SPACE FOR MAJOR MEDICAL EQUIPMENT TO BE KEPT IN ROOM.

SPACE FOR LINEN HAMPERS AND TRASH CONTAINERS.

(9) Minor treatment and examination room or rooms.

(a) At least one minor treatment and examination room.

(b) DIMENSIONS AND ARRANGEMENT OF EXAMINATION ROOM OR ROOMS TO PROVIDE AT LEAST EIGHTY NET SQUARE FEET OF FLOOR SPACE, EXCLUSIVE OF SPACE FOR LAVATORY, CABINETS, WORK COUNTER, WARDROBE, DESK, OR VESTIBULE. CONFIGURATION OF THIS NET FLOOR SPACE TO ALLOW FOR PLACEMENT OF A SIX FEET BY TWO FEET EXAMINATION TABLE WITH AT LEAST THREE FEET WIDE CLEAR SPACE ON EACH SIDE OF THE TABLE AND FOUR FEET WIDE CLEAR SPACE AT THE FOOT END OF THE TABLE.

(c) EQUIPMENT:

LAVATORY.

WORK COUNTER.⁶

STORAGE FOR SUPPLIES AND EQUIPMENT.^{6, 18}

SUCTION OUTLET.

OXYGEN OUTLET.

EXAMINATION LIGHT.⁶

(10) Observation room or rooms.

(a) NEAR TO NURSES' STATION OR OTHER CONTROL STATION TO PERMIT CLOSE OBSERVATION OF PATIENTS.

(b) AT LEAST ONE HUNDRED TWENTY-FIVE SQUARE FEET IN ONE-BED ROOM.

(c) MINIMUM DIMENSION OF TEN FEET FOR ONE-BED ROOM.

(d) EACH MULTIPLE-BED ROOM DESIGNED TO PROVIDE AT LEAST FOUR FEET WIDE SPACE BETWEEN SIDE OF EACH BED (OR CART) AND ANY WALL, OTHER BED, OR FIXED EQUIPMENT (e.g., CABINET, SINK, CLOSET), AND AT LEAST FIVE FEET WIDE SPACE BETWEEN FOOT END OF ANY BED AND ANY WALL OR FIXED EQUIPMENT.

(e) ROOM DETAILS, DOORS, HARDWARE, WINDOWS, AND SCREENS IN ANY ROOM FOR SEVERELY DISTURBED PERSON TO PROVIDE FOR PATIENT SAFETY IN AN UNOBTRUSIVE MANNER.

(f) EQUIPMENT:

LAVATORY IN EACH ROOM.

A NURSE CALL SIGNAL DEVICE AT EVERY PATIENT BED.

OXYGEN OUTLET FOR EACH BED (OR CART).

SUCTION OUTLET FOR EACH BED (OR CART).

CLOSET OR LOCKER PER EACH BED FOR PATIENT CLOTHING. May be in or adjacent to observation room or rooms.

SEPARATE STORAGE PER BED FOR EXTRA PILLOWS AND BLANKETS. May be combined with closet or locker.

(11) PATIENT TOILET OR TOILETS.

(a) CONVENIENT TO EXAMINATION AND TREATMENT ROOMS.

(b) TOILET OR TOILETS LOCATED SO PATIENTS IN EVERY OBSERVATION ROOM HAVE ACCESS TO A TOILET WITHOUT ENTERING A PUBLIC CORRIDOR.

(c) AT LEAST ONE COMMUNAL PATIENT TOILET DESIGNED AND ARRANGED TO ACCOMMODATE A PATIENT IN A WHEELCHAIR.

(d) GRAB BARS AT EACH PATIENT TOILET.

(12) MEDICINE AREA.⁷

(13) UTILITY ROOMS.⁷

(14) DESK SPACE FOR NURSES AND PHYSICIANS.

May be combined with office facilities in reception, triage, and registration area.

(15) EQUIPMENT STORAGE.

(a) STORAGE FOR MOBILE CART WITH EMERGENCY MEDICAL SUPPLIES AND EQUIPMENT (CRASH CART) IN A CLEAN AREA READILY ACCESSIBLE FROM ALL ROOMS USED FOR PATIENT CARE OR TREATMENT.

(b) Storage area for portable x-ray equipment.

REQUIRED IF PORTABLE X-RAY EQUIPMENT TO BE STORED IN EMERGENCY DEPARTMENT.

(c) STORAGE FOR OTHER MAJOR PORTABLE OR MOBILE EQUIPMENT.

(16) HOUSEKEEPING FACILITIES.⁵

Suitable combination with other housekeeping facilities permitted if convenient to emergency department.

Notes:

⁵See GENERAL REQUIREMENTS FOR SERVICE FACILITIES, WAC ((~~248-18-710(5)~~)) 248-18-711(6), HOUSEKEEPING FACILITIES.

⁶May be movable equipment.

⁷See GENERAL REQUIREMENTS FOR SERVICE FACILITIES, WAC ((~~248-18-710~~)) 248-18-711.

⁸Where combustible anesthetic is to be used, see FLOOR FINISHES, WAC ((~~248-18-718~~)) 248-18-719(5); VENTILATION, WAC ((~~248-18-718(8)~~)) 248-18-719(2); and ELECTRICAL SYSTEMS, WAC ((~~248-18-718(10)~~)) 248-18-719(4).

¹⁸See GENERAL REQUIREMENTS FOR SERVICE FACILITIES, WAC ((~~248-18-710(3)~~)) 248-18-711(10), STORAGE FACILITIES.

AMENDATORY SECTION (Amending Order 269, filed 9/20/83)

WAC 248-18-650 OUTPATIENT DEPARTMENT. Optional. SHALL MEET REQUIREMENTS, IF INCLUDED. (REQUIREMENTS IN CAPITAL LETTERS - SEE WAC 248-18-515.)

(1) OUTPATIENT DEPARTMENT, GENERAL.

(a) LOCATED FOR EASY ACCESS BY OUTPATIENTS.

(b) LOCATED SO OUTPATIENT TRAFFIC THROUGH INPATIENT AREAS WILL BE AVOIDED.

(c) Located for convenient access to radiology, pharmacy, laboratory, and physical therapy.

(d) NUMBER, SIZE, AND TYPE OF FACILITIES DEPENDENT UPON TYPE AND ANTICIPATED VOLUME OF OUTPATIENT WORK.

(2) ADMINISTRATIVE FACILITIES.

(a) In small department, may be combined with inpatient or emergency department administrative facilities.

(b) Secondary facilities may be needed adjacent to major clinic areas in large department.

(c) WAITING AREA.

(d) ADMITTING FACILITIES.

(e) Appointment and cashier facilities.

(f) Office.

(g) PUBLIC TOILET.

(h) Staff toilet.

(3) EXAMINATION ROOM.

(a) MINIMUM DIMENSION OF EIGHT FEET AND MINIMUM AREA OF EIGHTY SQUARE FEET.

(b) EQUIPMENT:

LAVATORY OR SINK.

EXAMINATION LIGHT.⁶

STORAGE FOR SUPPLIES AND EQUIPMENT.¹⁸

Dressing cubicles.

Film illuminator.

(4) Doctors' office.

(5) Minor surgery or treatment room.

(a) MINIMUM DIMENSION OF FIFTEEN FEET.

(b) EQUIPMENT:

SCRUB SINK.

LIQUID DETERGENT DISPENSER WITH FOOT CONTROL.⁶

SURGERY OR TREATMENT LIGHT.⁶

STORAGE FOR SUPPLIES AND EQUIPMENT.^{6, 18}

FILM ILLUMINATOR OR ILLUMINATORS.⁶

(6) UTILITY ROOM.⁷

Located close to examination and treatment rooms.

(7) MEDICINE FACILITIES.⁷

(8) HOUSEKEEPING FACILITIES.⁵

Suitable combination with other housekeeping facilities permitted if convenient to outpatient department.

(9) LINEN STORAGE.¹⁸

(10) EQUIPMENT STORAGE.¹⁸

(11) Observation or recovery room.¹⁴

Notes:

⁵See GENERAL REQUIREMENTS FOR SERVICE FACILITIES, WAC ((~~248-18-710(5)~~)) 248-18-711(6), HOUSEKEEPING FACILITIES.

⁶May be movable equipment.

⁷See GENERAL REQUIREMENTS FOR SERVICE FACILITIES, WAC ((~~248-18-710~~)) 248-18-711.

¹⁴See Recovery Unit, WAC 248-18-560.

¹⁸See GENERAL REQUIREMENTS FOR SERVICE FACILITIES, WAC ((~~248-18-710(3)~~)) 248-18-711(10), STORAGE FACILITIES.

AMENDATORY SECTION (Amending Order 2560, filed 11/18/87)

WAC 248-18-660 LABORATORY FACILITIES. (REQUIREMENTS IN CAPITAL LETTERS - SEE WAC 248-18-515.) NUMBER, SIZE, AND TYPE OF FACILITIES DEPENDENT UPON TYPE AND ANTICIPATED VOLUME OF LABORATORY WORK AS PRESENTED IN FUNCTIONAL PROGRAM.

(1) LABORATORY, GENERAL.

(a) LOCATED TO AVOID OUTPATIENT TRAFFIC THROUGH INPATIENT AREAS.

(b) ELECTRICAL SERVICE. EMERGENCY POWER TO CRITICAL LABORATORY AREAS.

(c) NOISE ATTENUATION.²⁴

(d) PIPED UTILITY VALVES AND WASTE LINE CLEAN-OUTS ACCESSIBLE FOR REPAIR AND MAINTENANCE.

(e) WAITING AREA AVAILABLE.²⁴

(f) WORK AREAS FOR TECHNICAL, CLERICAL, AND ADMINISTRATIVE STAFF, FILES, AND STORAGE AREAS.²⁴

(g) STAFF TOILET CONVENIENT TO LABORATORY.

(2) EQUIPMENT - LABORATORY GENERAL:

(a) WORK COUNTER OR COUNTERS AT LEAST TWENTY-FOUR INCHES DEEP (FREE WORK SPACE) AND TWENTY-EIGHT INCHES HIGH AND OF SUFFICIENT DEPTH, HEIGHT, AND LENGTH TO ACCOMMODATE LABORATORY EQUIPMENT AND WORK PROCEDURES.^{20, 24}

(b) KNEE HOLE SPACES AT WORK STATIONS.²⁴

(c) SINK OR SINKS IN TESTING AREA OR AREAS.^{19, 24}

(d) SPACE FOR FREESTANDING EQUIPMENT.²⁴

(e) SPACE FOR CHAIRS AND/OR STOOLS AT WORK STATIONS.²⁴

(f) EASILY ACCESSIBLE EMERGENCY SHOWERS WITH FLOOR DRAINS AND EYE WASHERS.²⁴

(g) DRAINAGE FOR EQUIPMENT AND WASTE DISPOSAL.²⁴

(3) HOUSEKEEPING FACILITIES WHICH ARE SEPARATE OR SUITABLY COMBINED WITH OTHER HOUSEKEEPING FACILITIES CONVENIENT TO THE LABORATORY FACILITIES.⁵

(4) BLOOD DRAWING FACILITIES.

(a) ROOM OR PRIVATE AREA SEPARATE FROM LABORATORY TESTING AREA.

(b) EQUIPMENT.

(i) WORK COUNTER.⁶

(ii) LAVATORY.

(iii) SPACE TO ACCOMMODATE ADULT WHEELCHAIR AND ACCOMMODATION FOR INFANTS.

(5) WHEELCHAIR ACCESSIBLE PATIENT TOILET.

(a) LOCATED CONVENIENT TO LABORATORY.

(b) OPEN SHELF IN TOILET.

(6) CLEAN-UP, DECONTAMINATION, BIOHAZARDOUS WASTE COLLECTION, OR SOILED UTILITY FACILITIES IN LABORATORY OR ELSEWHERE.²⁴

(7) WHEN PROVIDED IN FUNCTIONAL PROGRAM, SPECIMEN PREPARATION FACILITY SHALL INCLUDE THE FOLLOWING:²⁴

(a) LOCATED IN OR ADJACENT TO LABORATORY.

(b) EQUIPMENT AS REQUIRED IN SUBSECTION (2) OF THIS SECTION.

(8) WHEN PROVIDED IN FUNCTIONAL PROGRAM, A MEDIA PREPARATION FACILITY SHALL INCLUDE A ROOM OR AREA MEETING VENTILATION REQUIREMENTS SPECIFIED IN WAC ((248-18-718)) 248-18-719(2) and Table 719-3.²⁴

(9) WHEN PROVIDED IN FUNCTIONAL PROGRAM, A REAGENT PREPARATION FACILITY SHALL INCLUDE EQUIPMENT AS REQUIRED IN SUBSECTION (2) OF THIS SECTION WITH THE FOLLOWING DIFFERENCES OR EXCEPTIONS:²⁴

(a) SPACE FOR VIBRATION-FREE BALANCE TABLE UNLESS AVAILABLE ELSEWHERE IN LABORATORY.

(b) EQUIPMENT FOR PREPARATION OF REAGENT WATER OR OUTLET FOR PIPED REAGENT WATER PREPARED ELSEWHERE.²⁴

(10) WHEN PROVIDED IN FUNCTIONAL PROGRAM, MICROBIOLOGY FACILITY SHALL INCLUDE:²⁴

(a) SEPARATE ENCLOSED ROOM OR AN AREA LOCATED AWAY FROM TRAFFIC FLOW.

(b) EQUIPMENT AS REQUIRED IN SUBSECTION (2) OF THIS SECTION WITH THE FOLLOWING DIFFERENCES OR EXCEPTIONS:

(i) SPACE FOR SPECIAL GAS CYLINDERS WITH SAFETY FASTENERS UNLESS ALL GAS IS PIPED IN.

(ii) FOR HIGHLY INFECTIOUS MATERIALS (INCLUDING BUT NOT LIMITED TO TUBERCLE BACILLUS, VIRUS, SYSTEMIC MYCOLOGY), PROVIDE ADDITIONAL ENCLOSED AREA WITH COUNTERS, SINK, STORAGE, AND BIOLOGICAL SAFETY CABINET OR LAMINAR FLOW HOOD.²⁴

(11) WHEN PROVIDED IN FUNCTIONAL PROGRAM, BLOOD BANK FACILITY SHALL INCLUDE:

(a) EQUIPMENT AS REQUIRED IN SUBSECTION (2) OF THIS SECTION,

(b) A BLOOD BANK REFRIGERATOR EQUIPPED WITH HIGH AND LOW TEMPERATURE ALARM WHICH SIGNALS IN STAFFED AREA, AND

(c) EMERGENCY POWER.

(12) CHEMISTRY FACILITIES, WHEN PROVIDED IN FUNCTIONAL PROGRAM SHALL INCLUDE EQUIPMENT AS REQUIRED IN SUBSECTION (2) OF THIS SECTION WITH THE FOLLOWING DIFFERENCES OR EXCEPTIONS.

(a) FUME HOOD WHEN ANY PROCEDURE PRODUCES DANGEROUS, TOXIC, OR NOXIOUS FUMES.²⁴

(b) SPECIAL EQUIPMENT PROPERLY VENTED AS PER MANUFACTURER'S INSTRUCTIONS (e.g., atomic absorption).²⁴

(c) SPECIAL GASES PIPED IN OR SPACE FOR SPECIAL GAS CYLINDERS WITH SAFETY FASTENERS (WHEN SPECIAL GASES REQUIRED FOR PROCEDURES).²⁴

(13) WHEN PROVIDED IN FUNCTIONAL PROGRAM, CYTOLOGY FACILITY SHALL INCLUDE EQUIPMENT AS REQUIRED IN SUBSECTION (2) OF THIS SECTION AND FORCED AIR EXHAUST VENTILATION OVER STAINING AREA.

(14) WHEN INCLUDED IN FUNCTIONAL PROGRAM, HEMATOLOGY FACILITIES SHALL BE LOCATED AS REQUIRED IN SUBSECTION (1) OF THIS SECTION AND EQUIPPED AS IN SUBSECTION (2) OF THIS SECTION.

(15) WHEN PROVIDED IN FUNCTIONAL PROGRAM, HISTOLOGY FACILITIES SHALL INCLUDE:

(a) LOCATED IN A SEPARATE ROOM OR AREA.

(b) EQUIPMENT AS REQUIRED IN SUBSECTION (2) OF THIS SECTION WITH THE FOLLOWING DIFFERENCES OR EXCEPTIONS:

(i) FUME HOOD OR FORCED AIR LOCATED TO EXHAUST TISSUE PROCESSING EQUIPMENT AND AREAS AS NECESSARY.

(ii) SPACE FOR FROZEN SECTION EQUIPMENT WHEN FROZEN SECTIONS ARE TO BE PERFORMED IN THIS AREA.²⁴

(16) MORGUE FACILITIES WHEN IN FUNCTIONAL PROGRAMS SHALL INCLUDE.²⁴

(a) LOCATED TO ACCOMMODATE TRANSPORTATION OF BODIES VIA LEAST PUBLIC USE CORRIDOR OR CORRIDORS.

(b) REFRIGERATION FOR BODY STORAGE.

(c) SPACE FOR HOUSEKEEPING EQUIPMENT.²⁴

(17) AUTOPSY ROOM WHEN IN FUNCTIONAL PROGRAM SHALL INCLUDE:

(a) LOCATION CONVENIENT TO MORGUE.

(b) EQUIPMENT.

(i) AUTOPSY TABLE WITH WATER SUPPLY, SUCTION OUTLET, AND APPROPRIATE DRAIN.

(ii) SPACE FOR DISSECTION TABLE OR COUNTER (MAY BE PART OF AUTOPSY TABLE).⁶

(iii) FLOOR DRAIN.

(iv) SCRUB SINK.

(v) STORAGE FOR SUPPLIES AND EQUIPMENT.⁶

(vi) INSTRUMENT STERILIZER UNLESS PROVIDED ELSEWHERE.

(vii) CLINIC SERVICE SINK (SIPHON JET) OR OTHER TISSUE DISPOSAL SYSTEM.

(viii) CHANGING ROOM AND SHOWER.²⁴

(c) SPACE FOR HOUSEKEEPING EQUIPMENT.²⁴

(18) WHEN PROVIDED IN FUNCTIONAL PROGRAM, ANIMAL QUARTERS WHICH SHALL INCLUDE:

(a) LOCKED APART FROM LABORATORY AND TO AVOID ANNOYANCE.

(b) ADEQUATE FACILITIES BASED UPON TYPES AND EXTENT OF USAGE OF ANIMALS IN LABORATORY WORK, INCLUDING PROVISIONS FOR FOOD AND SUPPLY STORAGE, HANDWASHING, DISPOSAL OF WASTES AND DEAD ANIMALS, CLEANING AND SANITIZING OF QUARTERS AND CAGES, AND LOCKED ISOLATION OF INOCULATED ANIMALS.

NOTES:

⁵See GENERAL REQUIREMENTS FOR SERVICE FACILITIES, WAC ((248-18-710(5))) 248-18-711(6), HOUSEKEEPING FACILITIES.

⁶May be movable equipment.

¹⁹CORROSION RESISTANT - Stainless steel recommended.

²⁰IMPERMEABLE SURFACE.

²⁴IN ACCORDANCE WITH PROGRAM.

AMENDATORY SECTION (Amending Order 119, filed 5/23/75)

WAC 248-18-665 RADIOISOTOPE FACILITIES. Optional. SHALL MEET REQUIREMENTS, IF INCLUDED. (REQUIREMENTS IN CAPITAL LETTERS - SEE WAC 248-18-515.)

(1) RADIOISOTOPE FACILITIES, GENERAL.²¹

(a) LOCATED SO OUTPATIENT TRAFFIC THROUGH INPATIENT AREAS WILL BE AVOIDED.

(b) LOCATED TO MINIMIZE EXPOSURE HAZARD TO PATIENTS AND PERSONNEL.

(c) Located for ease of access by outpatients.

(d) Located in or near clinical department assuming responsibility.

(e) WORK SURFACES AND FLOORS SUBJECT TO SPILLS OF RADIOACTIVE SOLUTIONS TO BE IMPERMEABLE, READILY DECONTAMINATED SURFACES.

(2) RADIOCHEMISTRY LABORATORY.

(a) ADEQUATE RADIATION SHIELDING AND OTHER PROTECTIVE DEVICES TO FACILITATE SAFE STORAGE AND HANDLING OF ISOTOPES AND WASTE MATERIALS.^{6 21}

(b) EQUIPMENT:

SEPARATE WORK SURFACES FOR PATIENT DOSE AND FOR CLINICAL SPECIMEN PREPARATION.

FACILITIES FOR AIR CONTROL²² (glove box or fume hood).

LOCKABLE ISOTOPE STORAGE.⁶

EQUIPMENT AND SUPPLY STORAGE.⁶

LAVATORY OR SINK.

LOCKABLE STORAGE FOR CONTAMINATED EQUIPMENT AND WASTE MATERIALS.⁶

Storage unit⁶ for monitoring equipment located to avoid contamination.

(3) PATIENT UP-TAKE MEASURING ROOM.

(a) LOCATED AWAY FROM X-RAY MACHINES, AND RADIOACTIVE MATERIALS OR BE ADEQUATELY SHIELDED.

(b) DESK AND FILE SPACE.

(c) WAITING AREA - May be shared with other area if adjacent.

(d) SPACE FOR DENTAL CHAIR OR EXAMINATION TABLE.

(e) EQUIPMENT:

Lavatory or sink.

WORK SURFACE FOR SCALER AND DETECTORS.

STORAGE CABINETS.⁶

Notes:

⁶May be movable equipment.

²¹Refer to ((~~"Rules and Regulations for Radiation Protection"~~ of the Washington State Department of Social and Health Services, Title 402-WAC)) WAC 248-18-99902(27).

²²May be omitted if program indicates is not needed.

AMENDATORY SECTION (Amending Order 269, filed 9/20/83)

WAC 248-18-675 REHABILITATION FACILITIES. Optional. SHALL MEET REQUIREMENTS, IF INCLUDED. (REQUIREMENTS IN CAPITAL LETTERS. SEE WAC 248-18-515.)

(1) REHABILITATION FACILITIES, GENERAL.

(a) Located for easy access by inpatients and outpatients and to facilitate transport of equipment for bedside treatment when necessary.

(b) LOCATED TO AVOID OUTPATIENT TRAFFIC THROUGH INPATIENT AREAS.

(c) TYPE AND EXTENT OF FACILITIES ADEQUATE FOR THE TYPE AND VOLUME OF ANTICIPATED SERVICES.

(2) WAITING AREA.

(a) Suitable combinations with other waiting areas permitted.

(b) Accommodations for inpatients and outpatients.

(c) ADEQUATE SPACE FOR STRETCHERS AND WHEELCHAIRS.

(d) Reception counter or desk.

(3) PHYSICAL THERAPY FACILITIES. May be omitted if program indicates not needed.

(a) ADMINISTRATIVE FACILITIES.

OFFICE SPACE suitable for interviewing patients, and administrative and clerical functions.

(b) Examining room.

(i) Floor to ceiling partitions for privacy. Arranged to permit permanent placement of examining equipment.

(c) TREATMENT AREA.

(i) GENERAL TREATMENT AREA.

(A) CUBICLES LARGE ENOUGH FOR THERAPIST TO WORK ON BOTH SIDES OF TABLE.

(B) Divided by curtains rather than solid partitions.

(C) ARRANGED TO PERMIT EASY ACCESS FOR WHEELCHAIR OR STRETCHER PATIENTS.

(ii) Underwater exercise area.

(A) Concentration of equipment requiring special water supply and plumbing in one section of department.

(B) ACCESSIBLE AND ADJACENT TO OTHER TREATMENT AREAS.

(C) Overhead lifts for tank or exercise pool.

(iii) General exercise area.

(A) Flexible open space.

(B) At least one wall reinforced for installation of stall bars and similar equipment.

(d) PATIENT LOCKER FACILITIES.

LOCKERS OR OTHER SUITABLE PROVISION FOR PATIENT CLOTHING IN OR NEAR TREATMENT AREAS.

(e) STORAGE FOR SUPPLIES AND EQUIPMENT.

(i) ADEQUATE TO MEET NEEDS OF SERVICE.

(ii) Near work areas.

(f) SPECIAL DESIGN FEATURES.

(i) SINK OR SINKS.

(A) HANDWASHING FACILITIES IN GENERAL TREATMENT AREA AND IN OR CONVENIENT TO OTHER TREATMENT AREAS.

(B) AT LEAST ONE SINK OF SUFFICIENT WIDTH AND DEPTH TO ACCOMMODATE WET PACKS.

(ii) Ceiling moorings.

(A) Constructed to support at least five hundred pounds.

(B) Strategically located throughout treatment areas for attachment of overhead equipment.

(4) Occupational therapy.²³ Located close to physical therapy facilities.

(a) ADMINISTRATIVE FACILITIES.

(i) OFFICE AND WORK SPACE FOR STAFF.

(ii) Separate room recommended.

(iii) Designed and located to permit visual supervision of therapy areas.

(b) STORAGE FOR SUPPLIES AND EQUIPMENT.

(i) ADEQUATE TO MEET NEEDS OF THERAPY PROGRAM.

(ii) Near therapy areas.

(c) THERAPY AREA.²⁴

(i) At least thirty-six square feet of floor area per patient for the maximum number to be in therapy at any one time.

(ii) Divided and equipped for diversified work.

(iii) EQUIPMENT:

SINK WITH SLUDGE TRAP.

(d) Facilities for teaching activities of daily living.

(5) Psychological facilities.

Office space for psychological testing, evaluation, and counseling.

(6) Social service facilities.

Office space for private interview and counseling.

(7) Vocational facilities.

Office and work space for counseling, evaluation, prevocational program, and placement.

(8) Special education facilities.

Schoolroom for children if children are to be included in program.

(9) TOILET, LOCKER, AND SHOWER FACILITIES.

(a) LOCKER, TOILET, AND SHOWER FACILITIES FOR PATIENTS.

(b) PATIENT TOILET OR TOILETS DESIGNED FOR ACCOMMODATION OF WHEELCHAIR PATIENTS.

(c) May be omitted if program does not indicate need for locker and shower facilities and other suitable patient toilets are convenient to rehabilitation facilities.

(10) HOUSEKEEPING FACILITIES.⁵

Suitable combination with other housekeeping facilities permitted if convenient to rehabilitation facilities.

Notes:

⁵See GENERAL REQUIREMENTS FOR SERVICE FACILITIES, WAC ((~~248-18-710(5)~~) 248-18-711(6)), HOUSEKEEPING FACILITIES.

²³For construction and ventilation requirements for areas in which flammable agents are to be handled or stored, refer to standards of the State Fire Marshal.

²⁴In accordance with program.

AMENDATORY SECTION (Amending Order 281, filed 2/15/85)

WAC 248-18-680 CENTRAL STERILIZING AND PROCESSING SERVICE FACILITIES. Optional. SHALL MEET REQUIREMENTS, IF INCLUDED. (REQUIREMENTS IN CAPITAL LETTERS. SEE WAC 248-18-515.)

(1) GENERAL.

(a) A SEGREGATED UNIT DESIGNED AND LOCATED:

(i) TO PREVENT THROUGH TRAFFIC,

(ii) TO AVOID CONTAMINATION OF CLEAN AND STERILE SUPPLIES AND EQUIPMENT,

(iii) TO PREVENT OBJECTIONABLE HEAT AND NOISE IN PATIENT CARE AREAS,

(iv) TO FACILITATE DELIVERY AND RETURN OF SUPPLIES AND EQUIPMENT TO AND FROM OTHER SERVICES,²⁴

(v) Near or adjacent to central stores and distribution services.

(b) AREAS WITHIN THE UNIT ADEQUATE TO PROVIDE FOR PROPER HANDLING OF SUPPLIES AND EQUIPMENT.²⁴

(c) WORK FLOW:

(i) EQUIPPED AND ARRANGED TO PROVIDE WORK FLOW MAINTAINING PROPER SEPARATION OF CLEAN OR STERILE ITEMS FROM SOILED OR CONTAMINATED ITEMS.

(ii) DESIGNED FOR CONTINUOUS OR SEQUENTIAL WORK FLOW FROM RECEIVING TO ISSUING.

(d) SEPARATE RECEIVING AND DECONTAMINATION ROOM.

(e) SEPARATE CLEAN EQUIPMENT STORAGE ROOM.²⁴

(f) ADEQUATE SPACE FOR CIRCULATION AND PARKING OF CARTS.²⁴

(2) SOILED RECEIVING AND DECONTAMINATION ROOM OR ROOMS.

(a) FACILITIES FOR RECEIVING, DISASSEMBLING, AND CLEANING OF SUPPLIES AND EQUIPMENT PHYSICALLY SEPARATED FROM ALL OTHER AREAS OF CENTRAL PROCESSING SERVICE.

(b) LOCATED TO FACILITATE RETURN OF SOILED OR CONTAMINATED ITEMS WITHOUT TRANSPORTING THE ITEMS THROUGH OTHER AREAS OF CENTRAL PROCESSING SERVICE.

(c) SPACE FOR PARKING OF SOILED COLLECTION CARTS, IF USED.

(d) PROVISIONS FOR CLEANING AND DISINFECTING CARTS AND LARGE EQUIPMENT UNLESS CART WASH FACILITIES PROVIDED ELSEWHERE. Refer to WAC ((~~248-18-710(6)~~)) 248-18-711(2).

(e) WORK FLOW FROM DECONTAMINATION ROOM DIRECTLY INTO CLEAN PREPARATION ROOM AND/OR CLEAN CART STORAGE/PARKING AREA OR AREAS.

(f) EQUIPMENT:

(i) AT LEAST ONE DOUBLE-COMPARTMENT SINK MOUNTED IN COUNTER OR INTEGRAL WITH COUNTER.

(ii) ADDITIONAL SINKS OR MECHANICAL WASHERS AS REQUIRED BY TYPES AND VOLUME OF ITEMS TO BE PROCESSED.²⁴

(iii) Washer-sterilizer or sterilizer, pass-through type.

(iv) WORK COUNTER OR EQUIVALENT SPACE FOR COLLECTION EQUIPMENT ADJACENT TO EACH SINK OR MECHANICAL WASHER FOR COLLECTION OF SOILED OR CONTAMINATED ITEMS.

(v) WORK COUNTER OR EQUIVALENT SPACE FOR COLLECTION EQUIPMENT ADJACENT TO EACH SINK OR MECHANICAL WASHER FOR COLLECTION OF ITEMS WHICH HAVE BEEN WASHED.

(vi) STORAGE FOR CLEANING AGENTS AND OTHER CLEANING SUPPLIES AND EQUIPMENT.

(vii) FLUSH OR RECESSED FLOOR DRAIN.

(viii) Pressure systems such as air, water, steam, vacuum.

(ix) Deionized or distilled water system.

(3) CLEAN WORKROOM, PREPARATION, AND REPACKAGING AREAS.

(a) SPACE AND FACILITIES ARRANGED FOR ASSEMBLING AND PACKAGING SUPPLIES AND EQUIPMENT FOR STERILIZATION.

(b) WORK SURFACES OF SUFFICIENT SIZE AND QUANTITY TO FACILITATE ASSEMBLY OF MATERIALS AND EQUIPMENT.²⁴

(c) STORAGE FOR CLEAN ITEMS AND MATERIALS USED IN PACKAGING.

(d) SPACE FOR PARKING OF CARTS AND OTHER MOVABLE EQUIPMENT.

(e) HANDWASHING LAVATORY LOCATED TO PREVENT SPLASH OR SPRAY ON CLEAN ITEMS.²⁴

(f) WHEN PREPARATION OF LINEN IS A FUNCTION IN CENTRAL PROCESSING, A SEPARATE ROOM IS REQUIRED TO AVOID ACCUMULATION AND SPREAD OF LINT.²⁴

(4) FACILITIES FOR STERILIZING.

(a) LOCATED BETWEEN FACILITIES FOR ASSEMBLING AND PACKAGING AND FACILITIES FOR STORAGE OF CLEAN AND STERILE SUPPLIES.

(b) EQUIPMENT:

(i) AT LEAST ONE PRESSURE STERILIZER OF ADEQUATE SIZE.

(ii) ADDITIONAL PRESSURE STERILIZERS AS REQUIRED BY VOLUME OF ITEMS TO BE PROCESSED.

(iii) PRESSURE STERILIZERS TO HAVE RECORDING THERMOMETERS AND AUTOMATIC CONTROLS.

(iv) Ethylene oxide sterilizer with automatic controls. MECHANICAL AERATOR REQUIRED WHEN ETHYLENE OXIDE STERILIZER INSTALLED.⁶

(v) Dry heat sterilizer.

(5) STORAGE OF CLEAN AND STERILE ITEMS FOR ISSUE/DISTRIBUTION FROM CENTRAL PROCESSING SERVICE.^{6, 18}

(a) SEPARATE ROOM OR AREA LOCATED TO FACILITATE ISSUE WITHOUT TRANSPORT OF CLEAN AND STERILE ITEMS THROUGH OTHER AREAS OF CENTRAL PROCESSING AND STERILIZING SERVICE.

(b) IF STORAGE AREA IS PART OF THE PREPARATION AREA, ENCLOSED SHELVING IN CABINETS, CARTS, OR EQUIVALENT SHALL BE PROVIDED.⁶ Open shelving permitted if separate room provided.⁶

(6) CLEAN EQUIPMENT STORAGE ROOM, AREA, OR AREAS.¹⁸ Also refer to WAC 248-18-700.

(a) LOCATED TO FACILITATE ISSUE OF LARGE AND SMALL PATIENT CARE EQUIPMENT. SEPARATED FROM OTHER AREAS OF

CENTRAL PROCESSING SERVICE. May be centralized in one room or area or decentralized on each nursing unit or within each department.²⁴

(b) AREA SUFFICIENT TO PROVIDE FOR PROPER HANDLING OF EQUIPMENT IN ACCORDANCE WITH PLANNED SYSTEM.²⁴

(c) PROVISION FOR CLEANING THE EQUIPMENT IN THE DECONTAMINATION ROOM, CART-WASH ROOM OR AREA OR OTHER SUITABLE FACILITIES IN THE HOSPITAL WITH SINK OR EQUIVALENT.

(7) DISTRIBUTION/ISSUE AREA OR AREAS. Also refer to WAC 248-18-700.

(a) LOCATED TO FACILITATE ISSUE OF CLEAN AND STERILE ITEMS WITHOUT BACKTRACKING THROUGH OTHER AREAS OF CENTRAL PROCESSING SERVICE.

(b) SPACE FOR MOVEMENT AND PARKING OF CARTS.²⁴

(c) SPACE FOR EQUIPMENT; e.g., communication system, files, labeling.

(8) PERSONNEL FACILITIES.

(a) TOILET, SHOWER ROOM OR AREA, CHANGE AND LOCKER AREA AS CLOSE AS POSSIBLE TO ENTRANCE OF CENTRAL PROCESSING/STERILIZING UNIT WITH STORAGE FOR CLEAN WORK ATTIRE. May be combined with other facilities if close by and adequate for both.

(b) LOCKER ROOM with storage²⁴ or equivalent for clean attire LOCATED TO ALLOW SEPARATE ACCESS TO AND FROM CLEAN AND SOILED ROOMS.

(9) OFFICE ROOM OR SPACE WITH COMMUNICATION DEVICE.

(a) LOCATED TO PERMIT ACCESS FROM PUBLIC AREAS WITHOUT ENTERING PROCESSING AREAS.

(b) Located to allow observation of activities within central processing service.

(c) May be desk and file space in suitable location within workroom.

(10) HOUSEKEEPING FACILITIES.⁵

Combination with other housekeeping facilities permitted only if suitable and convenient to central sterilizing and processing service facilities.

Notes:

⁵See GENERAL REQUIREMENTS FOR SERVICE FACILITIES, WAC ((~~248-18-710(5)~~) 248-18-711(6)), HOUSEKEEPING FACILITIES.

⁶May be movable equipment.

¹⁸See GENERAL REQUIREMENTS FOR SERVICE FACILITIES, WAC ((~~248-18-710(3)~~) 248-18-711(10)), STORAGE FACILITIES.

²⁴In accordance with program.

AMENDATORY SECTION (Amending Order 257, filed 3/18/83)

WAC 248-18-685 DIETARY DEPARTMENT. (REQUIREMENTS IN CAPITAL LETTERS - SEE WAC 248-18-515.)

(1) DIETARY DEPARTMENT, GENERAL.

(a) SUITABLY LOCATED TO FACILITATE DELIVERY OF STORES, DISPOSAL OF KITCHEN WASTE, AND TRANSPORTATION OF FOOD TO NURSING UNITS.

(b) EQUIPMENT CONSTRUCTED AND INSTALLED IN ACCORDANCE WITH NATIONAL SANITATION FOUNDATION STANDARDS.²⁶

(c) ALL EQUIPMENT AND COUNTERS CONSTRUCTED FOR EASY CLEANING AND FREE FROM INACCESSIBLE SPACE PROVIDING HARBORAGE FOR VERMIN.

(d) ADEQUATE SPACE BETWEEN EQUIPMENT (INCLUDING CASEWORK) AND WALL AND/OR FLOOR TO PERMIT CLEANING; OR, EQUIPMENT TIGHT AGAINST WALL AND/OR FLOOR AND JOINT PROPERLY SEALED.

(e) ADEQUATE SPACE FOR CIRCULATION OF CARTS THROUGHOUT DIETARY DEPARTMENT.

(2) ADMINISTRATIVE FACILITIES.

(a) OFFICE SPACE - may be limited to desk and file space.²⁴

(b) Separate room recommended.

(3) RECEIVING AREA.²⁷

(a) LOCATED FOR READY ACCESS TO REFRIGERATION AREA.

(b) Floor scales.

(4) BULK FOOD STORAGE AREA.²⁷

(5) DAY STORAGE ROOM OR AREA.

(a) IN OR ADJACENT TO KITCHEN - may be combined in a room with bulk food storage.

(b) SPACE FOR THREE DAYS SUPPLY.

(c) STORAGE SHELVES AT LEAST TWELVE INCHES OFF FLOOR AND AT LEAST EIGHTEEN INCHES FROM TOP OF SHELVES TO CEILING.

(d) SPACE FOR LARGE CONTAINERS AND DOLLIES.

(6) REFRIGERATION AREA.

(a) IN OR ADJACENT TO KITCHEN.

(b) SPACE ADEQUATE FOR MINIMUM OF THREE DAYS SUPPLY.

(c) REFRIGERATION UNITS, GENERAL.⁶

A MINIMUM OF TWO SEPARATE SECTIONS OR BOXES (ONE FOR MEATS AND DAIRY PRODUCTS AND ONE FOR FRUIT AND VEGETABLES) - three sections or boxes recommended (one for meat, one for dairy products, and one for fruit and vegetables).

(d) Walk-in boxes.

(i) SHELVES AT LEAST TWELVE INCHES OFF FLOOR.

(ii) SPACE FOR LARGE STORAGE CONTAINERS AND DOLLIES.

(e) Frozen food storage.

Section of walk-in box or separate deep freeze unit.

(7) Ice facilities.

(a) LOCATED TO AVOID CONTAMINATION OF ICE AND TO AVOID TRAFFIC INTO KITCHEN FOR ICE SERVICE FOR OTHER DEPARTMENTS.

(b) EQUIPMENT:
WORK COUNTER.⁶

ICE MACHINE OR ADEQUATE STORAGE UNIT (self-dispensing types recommended).

(8) KITCHEN.

(a) LOCATED AND ARRANGED TO AVOID CONTAMINATION OF FOOD; TO PREVENT OBJECTIONABLE HEAT, NOISE, AND ODORS TO PATIENT CARE AREAS; AND TO ELIMINATE THROUGH TRAFFIC.

(b) ADEQUATE FLOOR DRAINS.

(c) ADEQUATE SPACE FOR GARBAGE CONTAINERS.

(d) MEAT PREPARATION AREA.

(i) May be omitted if only prefabricated meats are to be used.

(ii) EQUIPMENT:

SINK WITH INTEGRAL DRAINBOARD OR COUNTER.

WORK TABLE OR COUNTER.⁶

MEAT BLOCK.⁶

Lavatory.

(e) FRUIT AND VEGETABLE PREPARATION AREA.

(i) LOCATED TO AVOID CONTAMINATION OF PREPARED FOODS AND CLEAN EQUIPMENT BY SOIL FROM VEGETABLES.

(ii) EQUIPMENT:

TWO-COMPARTMENT SINK WITH INTEGRAL DRAINBOARDS OR COUNTERS.

Food waste grinder.

Vegetable peeler.

(f) COOKING AREA.

(i) Located between preparation and serving units.

(ii) EQUIPMENT:

RANGE(S).

WORK TABLE(S) OR COUNTER(S).⁶

UTENSIL STORAGE.

COOK'S SINK – meat or vegetable sink may be used if conveniently located.

OVEN(S).²⁸

Steam kettles.

Mixers.

(g) SALAD AND SANDWICH PREPARATION AREA.²⁹

EQUIPMENT:

WORK TABLE OR COUNTER.⁶

REFRIGERATOR.^{6 30}

(h) DESSERT PREPARATION AREA.²⁹

EQUIPMENT:

WORK TABLE OR COUNTER.⁶

REFRIGERATOR.^{6 30}

(i) SPECIAL DIET PREPARATION AREA.

(i) May be omitted if special diets are to be prepared in same areas as general diets.

(ii) EQUIPMENT:

SINK WITH INTEGRAL DRAINBOARD OR COUNTER.

REFRIGERATOR.^{6 30}

WORK COUNTER.⁶

STORAGE CABINETS.

RANGE.

(j) Bakery area.

EQUIPMENT:

MIXER(S).

OVEN(S).

RANGE.

THREE-COMPARTMENT SINK – may be single compartment if utensils are to be washed in main pot and pan wash area.

WORK TABLE(S).⁶

COOLING RACK.⁶

POT AND PAN CABINET.

STORAGE SHELVES.⁶

PROOF BOX⁶ unless bread is purchased elsewhere.

(k) PATIENT SERVING AREA.

(i) ADEQUATE SPACE FOR MOBILE EQUIPMENT SUCH AS FOOD CARTS AND TRAY CARTS.²⁴

(ii) EQUIPMENT:

ADEQUATE SERVING EQUIPMENT.²⁴

CLOSED STORAGE UNITS FOR FOOD CONTAINERS, DISHES, AND TRAYS – may be on open shelves at least thirty inches above floor if utensils are to be reused within twenty-four hour periods.

ICE CREAM STORAGE.²⁴

BEVERAGE SERVICE EQUIPMENT.²⁴

(9) EMPLOYEE SERVING AREA.²⁴

(a) LOCATED AND ARRANGED TO ELIMINATE TRAFFIC INTO KITCHEN FOR SERVICE. Convenient to kitchen.

(b) PROTECTION OF OPEN FOOD DISPLAY COUNTERS.

(c) REFRIGERATION FOR PERISHABLE FOODS.²⁴

(10) DINING ROOM OR AREA.

(a) ADJACENT TO EMPLOYEE SERVING AREA – adjacent to dishwashing area.

(b) AT LEAST TWELVE SQUARE FEET OF FLOOR AREA PER PERSON FOR THE MAXIMUM NUMBER TO BE SERVED AT ANY ONE TIME.

(11) POT AND PAN WASH AREA.²⁹

EQUIPMENT:

THREE-COMPARTMENT SINK (OR EQUIVALENT) WITH INTEGRAL DRAINBOARDS OR COUNTERS.

Floor drain.

STORAGE CABINETS.

Food waste grinder.

(12) DISHWASHING ROOM OR AREA.

(a) May be located in a separate area of the kitchen.

(b) LOCATED TO AVOID TRAFFIC THROUGH OTHER AREAS OF THE KITCHEN.

(c) LOCATED TO PERMIT UNLOADING OF TRAY CARTS AND RECEIVING OF SOILED DISHES FROM DINING ROOM WITHOUT OBSTRUCTING TRAFFIC IN CORRIDORS.

(d) EQUIPMENT:

DISHWASHING MACHINE OR EQUIVALENT.

FLOOR DRAIN.

COUNTER FOR DIRTY DISHES.

Food waste grinder.

SPACE FOR GARBAGE CAN.

PRE-RINSE SINK UNLESS DISHWASHER EQUIPPED FOR PRE-RINSE CYCLE.

COUNTER FOR CLEAN DISHES.⁶

LAVATORY - may be located in cooking area if convenient to dishwashing area.

(13) GARBAGE FACILITIES.

(a) May be combined with general waste disposal facilities.³¹

(b) ADEQUATE SPACE (twenty-four square feet of floor area plus five square feet of storage space per can).

(c) STORAGE AREA.

(i) LOCATED IN SEPARATE, WELL-VENTILATED ROOM OR OUTSIDE, ENCLOSED SPACE.

(ii) CONVENIENT TO KITCHEN.

(iii) CONSTRUCTED TO PREVENT RAT HARBORAGE.

(iv) Refrigerated storage.

(d) CAN WASH AREA.

GARBAGE CAN WASH AREA WITH FLOOR DRAIN AND HOT AND COLD WATER. Steam recommended.

(14) HOUSEKEEPING FACILITIES.⁵

Suitable combination with other housekeeping facilities permitted if convenient to dietary facilities.

Notes:

⁵See GENERAL REQUIREMENTS FOR SERVICE FACILITIES, WAC ((~~248-18-710(5)~~) 248-18-711(6), HOUSEKEEPING FACILITIES (JANITORS' AND MAIDS').

⁶May be movable equipment.

²⁴In accordance with program.

²⁶See GENERAL DESIGN REQUIREMENTS, WAC ((~~248-18-718 (1)(c)(iii)~~) 248-18-719 (5) and (6), EQUIPMENT AND CASEWORK.

²⁷See RECEIVING AND STORES, WAC 248-18-700.

²⁸May be combined with ranges.

²⁹May be combined with cooking areas.

³⁰May be combined with other refrigeration.

³¹See HOUSEKEEPING DEPARTMENT, WAC 248-18-690(4), WASTE DISPOSAL FACILITIES.

AMENDATORY SECTION (Amending Order 269, filed 9/20/83)

WAC 248-18-690 HOUSEKEEPING DEPARTMENT. (REQUIREMENTS IN CAPITAL LETTERS - SEE WAC 248-18-515.)

(1) Administrative facilities.

(a) Office space.

(b) Telephone.

(2) STORAGE ROOM.

(a) RACKS, BINS, SHELVES, CABINETS.

- For: Extra mop trucks and pails.
- Vacuum cleaners and polishers.
- Wall-working equipment.
- Scaffolding and ladders.
- Handtrucks and maids' carts.
- Extra mop heads and wringers.
- Dusters and cleaning cloths.
- Soaps and detergents.

(b) LOCKED CUPBOARD.

For: Pesticides, drain cleaners, etc.

(3) FACILITIES FOR CLEANING.

(a) LARGE EQUIPMENT CLEAN-UP AREA.²⁴

(i) May be within storage room for housekeeping equipment if properly separated from storage area.

(ii) EQUIPMENT:

SINK.

FLOOR DRAIN.

(b) HOUSEKEEPING FACILITIES.⁵

WITHIN OR CONVENIENT TO EACH AREA OF THE HOSPITAL AS REQUIRED IN OTHER SECTIONS OF THESE REGULATIONS.

(4) WASTE DISPOSAL FACILITIES.

(a) LOCATED TO PREVENT OBJECTIONABLE TRAFFIC, SMOKE, AND ODORS IN OTHER AREAS OF THE HOSPITAL.

(b) Waste chutes not recommended.

(c) INCINERATION FACILITIES.⁽³²⁾

(d) STORAGE AREA.

(i) LOCATED IN SEPARATE, WELL-VENTILATED ROOM OR OUTSIDE, ENCLOSED SPACE.

(ii) CONSTRUCTED TO PREVENT RAT HARBORAGE.

(e) CAN WASH AREA.

CAN WASH AREA WITH FLOOR DRAIN, HOT AND COLD WATER. Steam recommended.

Notes:

⁵See GENERAL REQUIREMENTS FOR SERVICE FACILITIES, WAC ((~~248-18-710(5)~~) 248-18-711(6), HOUSEKEEPING FACILITIES.

²⁴In accordance with program.

⁽³²⁾See GENERAL DESIGN REQUIREMENTS, WAC ~~248-18-718(9), INCINERATION FACILITIES;~~

AMENDATORY SECTION (Amending Order 269, filed 9/20/83)

WAC 248-18-695 LAUNDRY FACILITIES. (REQUIREMENTS IN CAPITAL LETTERS - SEE WAC 248-18-515.) FACILITIES LISTED UNDER SUBSECTION (1) OR (2) OF THIS SECTION ARE REQUIRED.

(1) FACILITIES REQUIRED WHEN COMMERCIAL LAUNDRY SERVICE USED EXCLUSIVELY.

(a) ADEQUATE SPACE FOR CIRCULATION AND SEPARATE PARKING AREAS FOR CLEAN AND SOILED CARTS.

(b) SOILED LINEN ROOM.

(i) LOCATED TO PREVENT ODORS AND CONTAMINATION TO PATIENT CARE, SUPPLY, AND FOOD SERVICE AREAS.

(ii) SUITABLY LOCATED FOR DISPATCHING TO COMMERCIAL LAUNDRY.

(iii) SEPARATE ENCLOSED ROOM. ARRANGED TO AVOID THROUGH TRAFFIC.

(iv) SIZED FOR STORAGE OF THREE DAYS' ACCUMULATION OF SOILED LINEN AND NECESSARY SORTING (IF ANY).

(v) MECHANICAL VENTILATION TO PROVIDE AN EXCESS OF EXHAUST OVER SUPPLY.³³

(vi) EQUIPMENT: HANDWASHING FACILITY IN OR ADJACENT.

FLOOR DRAIN.

(c) CLEAN LINEN ROOM.

(i) SEPARATE ENCLOSED ROOM.

(ii) ARRANGED TO AVOID THROUGH TRAFFIC.

(iii) LOCATED AND ARRANGED TO AVOID SOURCES OF MOIST OR CONTAMINATED AIR.

(iv) SIZED FOR STORAGE OF RESERVE SUPPLY OF LINEN, BLANKETS, AND PILLOWS.

(d) SEWING ROOM.

May be combined with clean linen room.

(e) HOUSEKEEPING FACILITIES.⁵

Suitable combination with other housekeeping facilities permitted if convenient to laundry facilities.

(2) FACILITIES REQUIRED WHEN LAUNDRY IS PROCESSED IN HOSPITAL.

(a) LOCATED AND ARRANGED TO PREVENT OBJECTIONABLE HEAT, NOISE, ODORS, MOISTURE, AND CONTAMINATION TO PATIENT CARE, SUPPLY, AND FOOD SERVICE AREAS.

(b) ADEQUATE SPACE FOR CIRCULATION AND SEPARATE PARKING AREAS FOR CLEAN AND SOILED CARTS.

(c) SOILED LINEN ROOM.

(i) SEPARATE ENCLOSED ROOM.

(ii) ARRANGED TO AVOID THROUGH TRAFFIC.

(iii) SIZED FOR STORAGE OF THREE DAYS' ACCUMULATION OF SOILED LINEN AND NECESSARY SORTING (IF ANY).

(iv) EQUIPMENT:

HANDWASHING FACILITY IN OR ADJACENT.

FLOOR DRAIN.

MECHANICAL VENTILATION TO PROVIDE AN EXCESS OF EXHAUST OVER SUPPLY.³³

(d) PROCESSING ROOM OR ROOMS.

(i) SEPARATE FROM OTHER HOSPITAL FACILITIES.

(ii) ROOM SIZE AND CAPACITY OF EQUIPMENT ADEQUATE TO PROCESS FULL SEVEN DAYS' LAUNDRY IN WORK WEEK.

(iii) ARRANGED FOR UNINTERRUPTED FLOW FROM SOILED TO CLEAN (I.E., WASHING, EXTRACTING, IRONING, FOLDING, STORAGE).

(iv) BOTH SOILED AND CLEAN LINENS STORED OUTSIDE PROCESSING AREA.

(v) ADEQUATE VENTILATION PROPERLY ENGINEERED TO AVOID FLOW OF POTENTIALLY CONTAMINATED AIR FROM WASH AREA TO CLEAN AREAS.³³

(vi) EQUIPMENT:

COMMERCIAL WASHER OR WASHERS LOCATED TO AVOID THE SPREAD OF CONTAMINANTS IN THE LOADING OF SOILED LINEN.

COMMERCIAL EXTRACTOR OR EXTRACTORS.

COMMERCIAL TUMBLER OR TUMBLERS.

Commercial ironer or ironers.

Presses.

STORAGE FOR LAUNDRY SUPPLIES.

HANDWASHING FACILITY IN WASH AREA.

FLOOR DRAIN IN WASH AREA.

(e) Drying room.

(i) REQUIRED IF HANG DRYING IS TO BE DONE.

(ii) SEPARATE ENCLOSED ROOM.

(iii) ARRANGED TO AVOID THROUGH TRAFFIC.

(iv) SIZED AND EQUIPPED TO SUIT DRYING NEEDS (e.g., blankets, curtains, etc.).

(iv) ADEQUATE VENTILATION PROPERLY ENGINEERED TO AVOID FLOW OF POTENTIALLY CONTAMINATED AIR INTO ROOM.³³

(f) SEWING ROOM.

May be combined with clean linen room.

(g) CLEAN LINEN ROOM.

(i) SEPARATE ENCLOSED ROOM.

(ii) ARRANGED TO AVOID THROUGH TRAFFIC.

(iii) LOCATED AND ARRANGED TO AVOID SOURCES OF MOIST OR CONTAMINATED AIR.

(iv) SIZED FOR STORAGE OF RESERVE SUPPLY OF LINEN, BLANKETS, AND PILLOWS.

(h) HOUSEKEEPING FACILITIES.⁵

(i) FACILITIES SERVING OTHER AREAS OF THE LAUNDRY MAY NOT BE IN SOILED LINEN ROOM.

(ii) Suitable combination with other housekeeping facilities permitted if convenient to laundry facilities.

Notes:

⁵See GENERAL REQUIREMENTS FOR SERVICE FACILITIES, WAC ((~~248-18-710(5)~~)) 248-18-711(6), HOUSEKEEPING FACILITIES.

³³See GENERAL DESIGN REQUIREMENTS, WAC ((~~248-18-718(8)~~)) 248-18-719(2) and Table 719-3, VENTILATION.

AMENDATORY SECTION (Amending Order 119, filed 5/23/75)

WAC 248-18-705 MAINTENANCE AND MECHANICAL FACILITIES. (REQUIREMENTS IN CAPITAL LETTERS - SEE WAC 248-18-515.)

(1) BOILER AND/OR MECHANICAL EQUIPMENT ROOMS.³⁵

INSULATED, SOUND DEADENED, AND MECHANICALLY VENTILATED TO MINIMIZE TRANSFER OF HEAT AND NOISE TO ROOMS OCCUPIED BY PATIENTS AND EMPLOYEES. Not required if location of rooms precludes necessity.

(2) Maintenance shop.

(a) LOCATED FOR A MINIMUM OF NOISE AND DUST TO THE REST OF THE HOSPITAL.

(b) LOCATED AND DESIGNED FOR EASY DELIVERY AND REMOVAL OF EQUIPMENT.

Note:

³⁵See GENERAL DESIGN REQUIREMENTS, WAC ((~~248-18-718(1) through (11)~~)) 248-18-719.

AMENDATORY SECTION (Amending Order 009, filed 11/1/89)

WAC 248-18-719 GENERAL DESIGN REQUIREMENTS. Hospitals planning new construction shall include the following general design elements for certain rooms or areas required by other sections of this chapter:

(1) Architectural components including:

(a) Aisles between fixed elements wide enough to allow unimpeded movement of equipment and personnel within rooms or suites meeting requirements under WAC 248-18-99902(19);

(b) Ceiling heights meeting requirements in Table 719-1, Minimum Clear Opening for Doors and Nominal Ceiling Heights;

(c) A corridor system established throughout the hospital designed for traffic circulation providing patient privacy and preventing through traffic in examination, observation, treatment, and diagnostic areas, with width:

(i) Eight feet and restrictions of no more than seven inches for nonambulatory patient areas;

(ii) Existing seven feet minimum permitted in alteration projects; and

(iii) Meeting requirements under WAC 248-18-99902 (19) and (20) in all other areas with:

(A) Five feet for corridors permitted when serving ambulatory patient traffic within a single department; and

(B) Four feet minimum permitted for nonpatient areas and departments when there is a five-by-five foot turnaround at least every seventy-five feet.

(d) Handrails on both sides of corridors used by patients on orthopedic units, rehabilitation nursing units, nursing home units, and other long-term nursing units with dimensions as follows:

(i) Top of the handrail thirty-two to thirty-four inches above the floor;

(ii) Projecting a maximum of three and one-half inches from wall; and

(iii) End of handrail returning to wall.

(e) Doors:

(i) With widths meeting requirements under WAC 248-18-99902(20) and Table 719-1, Minimum Clear Opening for Doors and Nominal Ceiling Heights;

(ii) Designed to prevent swinging into established corridor widths, except those from small unoccupied spaces, such as small closets;

(iii) In patient rooms designed to swing to a full, open position;

(iv) With provision for immediate emergency access to patient toilets, showers, and bathrooms; and

(v) With vision panels required in all pairs of opposite swinging doors.

(f) At least one elevator in multi-story hospital designed for patient transport with minimum dimensions of:

(i) Five feet four inches inside width;

(ii) Eight feet six inches inside length; and

(iii) Four feet wide door openings.

(g) Stairways and ramps with:

(i) Skid-resistant surfaces;

(ii) Handrails, guardrails, and other safety devices on all stair-wells and ramps meeting requirements under WAC 248-18-99902 (19) and (20);

(iii) Slope of ramps used for patients not to exceed one unit of vertical rise for every twelve units of horizontal run; and

(iv) Slope of all other ramps meeting requirements under WAC 248-18-99902(20).

(h) Construction to control entrance and infestation by pests, such as mammals, birds, and insects;

(i) Windows in patient rooms, except in labor rooms and nurseries, with:

(i) A clear glass area of at least one-tenth of the floor space or meeting requirements under WAC 248-18-99902(20);

(ii) Location in the outside walls and:

(A) Twenty feet or more from another building or opposite wall or court;

(B) Ten feet or more from property line except on street side; and

(C) Allowance for a satisfactory amount of unobstructed natural light.

(iii) Location in interior common walls rather than in outside walls only when meeting requirements in WAC 248-18-99902(20);

(iv) Sills:

(A) No higher than three feet from the floor;

(B) No higher than four feet from the floor in critical care rooms;

(C) With exterior grade a minimum of six inches below window sill; and

(D) With exterior grade sloping away from building for at least ten feet.

(v) Sixteen mesh screens on all operable windows.

(2) Heating, ventilation, and cooling including:

(a) A heating system with capacity to maintain a temperature of seventy-five degrees Fahrenheit or more in each room or occupied space;

(b) A cooling system with capacity to cool patient areas to a temperature of seventy-five degrees Fahrenheit or below;

(c) Heating and cooling controls with:

(i) Individual thermostatic control in each patient room; and

(ii) All other areas suitably zoned and thermostatically controlled consistent with WAC 248-18-99902(2).

(d) Piping and duct systems insulated to control excessive heat transfer and condensation;

(e) Air balancing of distribution systems to maintain air changes and pressure relationships meeting requirements in Table 719-3, General Pressure Relationships and Ventilation of Certain Hospital Areas, in this section;

(f) Air handling duct system:

(i) Meeting requirements under WAC 248-18-99902(5);

(ii) With fiberglass ducts, if installed, of nonerosive wearing surfaces specified under WAC 248-18-99902 (9) and (10); and

(iii) With fiberglass-lined ducts, if installed, serving sensitive areas with ninety percent efficiency filters installed downstream of the duct lining.

(g) The use of space above ceilings for exhaust and return plenums restricted to nonclinical and nonpatient care areas, such as administrative, public waiting, and meeting areas;

(h) Air supply and exhaust locations:

(i) Meeting requirements under WAC 248-18-99902 (2) and (8);

(ii) With outdoor intakes located to the extent practical and possible as follows:

(A) Directionally different exposures twenty feet or more from:

(I) Combustion equipment stacks;

(II) Ventilation exhaust outlets from the hospital or adjoining buildings including fume hoods and ethylene oxide systems;

(III) Medical-surgical vacuum systems;

(IV) Plumbing vent stacks; and

(V) Areas that may collect vehicular exhaust and other noxious fumes.

(B) Bottom of intake six feet or more above ground level or three feet or more above roof level specified under WAC 248-18-99902(2).

(iii) Exhaust air discharge located to avoid cross circulation to supply air intakes or operable windows.

(i) Filters installed in central ventilation or air conditioning systems with:

(i) Filter beds and filter efficiencies meeting requirements under Table 719-4, Ventilation and Air Conditioning Systems: Filter Efficiencies in Hospitals;

(ii) Filter bed No. 2 downstream of the last component of any central air handling unit except:

(A) Steam injection-type humidifier permitted downstream of filter bed No. 2;

(B) Terminal reheat coils permitted downstream of filter bed No. 2; and

(C) Terminal cooling coils permitted downstream of filter bed No. 2 with additional filtration downstream of coil meeting requirements of filter bed No. 2.

(iii) Filter frames tight to the enclosing duct work; and

(iv) A manometer or equivalent installed across each filter bed serving sensitive areas of central air systems.

(j) Fire shutdown in accordance with WAC 248-18-99902 (5) and (25).

(k) Exhaust hoods or other approved exhaust devices over equipment likely to produce excessive heat, moisture, odors, or contaminants, and properly designed for intended use.

(l) Laboratory hoods for handling infectious materials meeting requirements under WAC 248-18-99902(7) with:

(i) A minimum face velocity of seventy-five feet per minute at maximum operating level of sash;

(ii) Served by independent exhaust system with the exhaust fan located at the discharge end of the system;

(iii) Duct with welded joints or equivalent from the hood to filter enclosure;

(iv) Filters with 99.97 percent efficiency dioctyl-phthalate (DOP) test method in the exhaust stream; and

(v) Designed and equipped to permit the safe removal of contaminated filters.

(m) Laboratory hood for venting radioactive particulate aerosols with:

(i) A minimum face velocity of one hundred feet per minute at a maximum operating level of sash;

(ii) An independent exhaust system with an exhaust fan at the discharge end of the system;

(iii) Ducts with welded joints or equivalent from the hood to the filter enclosure;

(iv) Exhaust stream filters with 99.97 percent efficiency using the dioctyl-phthalate (DOP) test method;

(v) Designed and equipped for the safe removal of contaminated filters; and

(vi) Provisions for washdown.

(n) Laboratory hoods for processing strong oxidizing agents with:

(i) A minimum face velocity of one hundred feet per minute at maximum operating level of sash;

(ii) An independent exhaust system and explosion-proof exhaust fan at the discharge end of the system;

(iii) Ducts of welded stainless steel or equivalent throughout the exhaust system; and

(iv) Hood and exhaust duct system equipped with complete coverage washdown facilities.

(o) Noncentral supply ventilation systems:

(i) Serving sensitive areas meeting the filtering requirements for central systems under Table 719-4, Ventilation and Air Conditioning Systems: Filter Efficiencies in Hospitals; and

(ii) In other areas with outdoor air for individual rooms and units meeting filtering requirements for central systems under Table 719-4, Ventilation and Air Conditioning Systems: Filter Efficiencies in Hospitals.

(p) Equipment to provide relative humidity as follows:

(i) Forty percent minimum to sixty percent maximum at seventy-two degrees Fahrenheit in:

(A) Operating rooms;

(B) Delivery rooms;

(C) Special procedure rooms;

(D) Anesthetizing locations;

(E) Critical care patient rooms, such as intensive and coronary care; and

(F) Recovery rooms.

(ii) Forty percent minimum to sixty percent maximum at seventy-five degrees Fahrenheit in all nursery facilities.

(3) Plumbing components including:

(a) Design and installation meeting requirements under:

(i) WAC 248-18-99902 (3) and (21); and

(ii) WAC 248-18-99902(19) when rooms and areas are designated for use by the handicapped.

(b) Backflow prevention device on water supply and plumbing (~~equipment~~) fixtures meeting requirements under WAC 248-18-99902 (3) and (21);

(c) Trap primers in floor drains and stand pipes subject to infrequent use meeting requirements under WAC 248-18-99902(3);

(d) Lavatories in each toilet room except where provided in connecting patient room, dressing or locker room;

(e) Skid-resistant floor surfaces in tubs and showers;

(f) Wrist, knee, or foot faucet controls or equivalent and gooseneck spouts:

(i) On lavatories in patient rooms;

(ii) In toilet rooms adjoining patient rooms except those for psychiatric patients per program requirements; and

(iii) On all lavatories and sinks for personnel use where required to control cross infection, unless the fixture is used for soiled functions only and another sink

equipped with appropriate controls is located in the same area of the room.

(g) Foot, knee, or equivalent faucet controls and gooseneck spouts on lavatories and scrub sinks in:

- (i) All nursery rooms;
- (ii) Birthing rooms;
- (iii) Surgery and delivery; and
- (iv) Other sensitive areas.

(h) Drinking fountains or equivalent at suitable locations, with at least one on each floor;

(i) Insulation installed on:

(i) Hot water piping systems as required to control excessive heat transfer and to provide safety;

(ii) Cold water and drainage piping as required to control condensation; and

(iii) Piping exposed to outside temperatures, designed to prevent freezing.

(j) Hot water supply meeting requirements under WAC 248-18-99902 (2) and (21);

(k) Equipment to deliver hot water at temperatures measured at point of use as follows:

(i) One hundred sixty degrees Fahrenheit or more for laundry;

(ii) One hundred twenty degrees Fahrenheit or more for mechanical dishwashers and laundry washers using chemical sanitization;

(iii) One hundred fifty degrees Fahrenheit or more for high temperature sanitization dishwashers; and

(iv) One hundred twenty degrees Fahrenheit or less at patient sinks, lavatories, and bathing facilities.

(l) Sewage disposal systems meeting requirements under WAC 248-18-99902 (22) and (23);

(m) Vacuum and medical gas systems:

(i) Installed and tested to meet requirements under WAC 248-18-99902 (4) and (11); and

(ii) Located to meet requirements under Table 719-2, Medical Gases, Vacuum, and Waste Gas Evacuation.

(n) Waste gas evacuation system:

(i) Installed and tested to meet requirements under WAC 248-18-99902(24); and

(ii) Located to meet requirements under Table 719-2, Medical Gases, Vacuum, and Waste Gas Evacuation.

(4) Electrical requirements including:

(a) General electrical service as follows:

(i) Electrical receptacle outlets meeting requirements under Table 719-5, Single Electrical Receptacle Outlet Requirements;

(ii) Capacity limited to twelve single electrical receptacle outlets or six duplex electrical receptacle outlets, or equivalent, per twenty amp circuit in all inpatient or outpatient care areas; and

(iii) Convenience electrical receptacle outlets to accommodate cleaning equipment and accessories such as floor polishers, vacuums, and televisions.

(b) Electrical service in critical care units and areas as follows:

(i) Dedicated circuits to serve designated electrical receptacle outlets located at the head of each bed;

(ii) Capacity limited to six single electrical receptacle outlets or three duplex electrical receptacle outlets or equivalent per twenty amp circuit; and

(iii) Branch circuit panels located within the area providing ready accessibility to circuit breakers for staff.

(c) Emergency electrical service with:

(i) Critical emergency power electrical receptacle outlets meeting requirements under Table 719-5, Single Electrical Receptacle Outlet Requirements; and

(ii) Additional emergency power and lighting meeting requirements under WAC 248-18-99902(13).

(d) Lighting with:

(i) Fixtures of the number, type, and location to provide adequate illumination for the functions of each area meeting requirements under WAC 248-18-99902(12);

(ii) A reading light and control conveniently located for use by the patient at each bed in the patient rooms;

(iii) Protective lens or diffusers on overhead light fixtures;

(iv) Night light for each bed located below the level of the bed to dimly light pathway in the room;

(v) Night light switches and general illumination switches located adjacent to the opening side of patient room doors, except psychiatric patient security and seclusion rooms, where switches are located outside of the rooms; and

(vi) Lighting fixtures in psychiatric security and seclusion rooms of tamper-resistant design.

(e) Electrical/electronic equipment including:

(i) Call systems meeting requirements under Table 719-6, Call Systems;

(ii) Annunciator at control point of department or unit and additional staff duty stations such as utility, medication, and nourishment rooms and staff lounges; and

(iii) Film illuminators, or equivalent, accommodating at least two x-ray films in all areas where films are viewed, except in private offices.

(5) Interior finishes with:

(a) Floor finishes suitable to the function of each area and:

(i) Easily cleanable;

(ii) Skid-resistant material at entrances and other areas used while wet; and

(iii) Coved base integral with floors or top set base with toe tight to the walls.

(b) Carpets, if installed, of:

(i) Easily cleanable material;

(ii) Construction to prevent or reduce static build-up;

(iii) Finish classification with a:

(A) Radiant panel test class I, a minimum flux of 0.45 watts per centimeter squared; and

(B) Smoke density test class A, 450 or less on the smoke test scale.

(iv) Average pile density of 4,000 ounces per cubic yard calculated by:

$$\frac{\text{Yarn weight (ounces per square yard)} \times 36}{\text{Pile height (inches)}} = \text{Average pile density (ounces per cubic yard);}$$

(v) Maximum pile height of .312 inches;

(vi) Padding, if used, that is water resistant and permanently bonded to the carpet backing;

(vii) Cemented to the floor; and

(viii) Edges covered and top set base with toe at all wall junctures.

(c) Ceiling finishes or construction suitable to the functions of each area with:

(i) Monolithic or bonded construction for ceilings in patient rooms of psychiatric nursing units, security and seclusion rooms;

(ii) Concealed duct work and piping in occupied spaces;

(iii) Easily cleanable;

(iv) Smooth finish without visible joints or crevices in areas where surgical asepsis must be maintained, such as operating rooms, delivery rooms, and emergency treatment rooms;

(v) Finished to minimize glare in patient rooms, labor rooms, birthing rooms, operating rooms, delivery rooms, and emergency treatment rooms; and

(vi) Finished to minimize reflection of ultraviolet radiation when ultraviolet radiation generators are used.

(d) Wall finishes suitable to the functions of each area meeting requirements under WAC 248-18-99902(20) which are:

(i) Protected from impact in high traffic areas;

(ii) Easily cleanable;

(iii) Smooth finish without open joints or crevices in areas where surgical asepsis must be maintained, such as operating rooms, delivery rooms, and emergency treatment rooms;

(iv) Finished to minimize glare in patient rooms and labor rooms;

(v) Water-resistant paint, glaze, or similar water-resistant finish extending above the splash line in all rooms or areas subject to splash or spray; and

(vi) Protected by corner guards on external angles to resist impact in areas of heavy traffic.

(e) Safety of occupants assured during installation or application with room or area:

(i) Well-ventilated;

(ii) Unoccupied; and

(iii) Unavailable for use until the room or area is free of volatile fumes and odors.

(6) Accessories for bathroom and toilet rooms with:

(a) Backing to support the mounting of all accessories;

(b) Special requirements for accessories as follows:

(i) At bathing facilities, water closets, dressing rooms, and examination rooms, except in psychiatric unit:

(A) Toilet paper holder at water closets;

(B) Towel bar, hook, or ring; and

(C) Robe hook.

(ii) Suitable shelving or equivalent with a mirror at each lavatory in:

(A) Toilet room,

(B) Patient room,

(C) Birthing room,

(D) Dressing room, and

(E) Locker room.

(iii) Provision of dispensers for single-use towels or equivalent at all lavatories and sinks mounted to avoid contamination from splash and spray;

(iv) Provision for soap at each lavatory, sink, and bathing facility; and

(v) Grab bars as follows:

(A) Meeting the requirements under WAC 248-18-99902(19);

(B) Easily cleanable, resistant to corrosion, functionally designed, securely mounted;

(C) On two sides of each standard bathtub and shower; and

(D) At least one horizontal grab bar extended eighteen inches or more in front of the water closet.

(c) Accessories in bathing and toilet rooms designated for the handicapped meeting requirements under WAC 248-18-99902(19).

(7) Signage for identification of:

(a) Rooms and spaces; and

(b) Electric panel boards meeting requirements under WAC 248-18-99902(13).

TABLE 719-1
MINIMUM CLEAR OPENING FOR DOORS AND NOMINAL CEILING HEIGHTS

AREA/ROOM NAME	MINIMUM CLEAR OPENING FOR DOORS	NOMINAL CEILING HEIGHT
Anesthetizing and Special:		
Delivery	3'-10"	9'-0"
Fracture	3'-10"	8'-0"
Recovery	3'-10"	8'-0"
Surgery	3'-10"	9'-0"
Trauma	3'-10"	9'-0"
Critical Care:		
Intensive care	3'-10"	8'-0"
Nursing:		
Birthing	3'-10" (1)	8'-0"
Nurseries, all	3'-10" (1)	8'-0"
Patient	3'-10" (1)	8'-0"
Radiology and Imaging:		
Computerized tomography scan	3'-10"	8'-0"
Radiation therapy	3'-10"	9'-0"
Fluoroscopy	3'-10"	8'-0"
Nuclear medicine	3'-10"	8'-0"
X-ray	3'-10"	8'-0"
Diagnostic and treatment:		
Physical treatment therapy	3'-10" (1)	8'-0"
General:		
Bathrooms and toilets	2'-8" (2)	7'-6"

NOTES:

(1) Existing 3'-8" clear opening door permitted in alterations.

(2) Existing 2'-6" clear opening door permitted in alterations except in nursing home rehabilitation units.

TABLE 719-2
MEDICAL GASES, VACUUM, AND WASTE GAS EVACUATION

AREA/ROOM NAME	MEDICAL GASES				WASTE GAS EVACU- ATION ₁
	OXYGEN	MEDICAL AIR	NITROUS OXIDE	VACUUM	
Anesthetizing and Special:					
Cystoscopic	D	E		D	
Delivery	B,G	A,G	A	D,G	E
Operating	B	A	A	D,H	E
Operating patient hold area	B			B	
Recovery	B	A-Infants Only		C	
Recovery (delivery)	A,G	G		B,G	
Special procedures	D	E	A	D	E
Trauma	D	E		D	E
Critical Care:					
Coronary care	B	B		C	
Intensive care	B	B		C	
Nursing:					
Birthing (Labor, Delivery and Recovery)	A			B	
Examination, treatment	A			A	
Labor	B			B	
Nursery:					
Intermediate care	F	F		G	
Neonatal intensive care	F	F		G	
Newborn	A			A	
Patient:					
Medical, surgical and obstetrical	B			B	
Outpatient	B			B	
Pediatrics	B	B		B	
Radiology and Imaging :					
Imaging services	B			B	
Diagnostic and Treatment:					
Autopsy				E	
Emergency treatment	A	E		E	E

NOTES:

- A One outlet accessible to each bed, stretcher, bassinet, or equivalent; one outlet may serve two beds or two bassinets.
- B Separate outlet for each bed, stretcher, bassinet, or equivalent.
- C Two outlets for each bed.
- D Two outlets per room intended for one patient at any one time.
- E One outlet per room.
- F Two outlets per station.
- G Separate outlets for infants.
- H If used for delivery, must include G.
- I Required only when general anesthesia is used.

TABLE 719-3
GENERAL PRESSURE RELATIONSHIPS AND
VENTILATION OF CERTAIN HOSPITAL AREAS

Area/Room Name	Pressure Relation- Ship To Adjacent Areas	Minimum Air Changes Of Outdoor Air Per Hour Supplied To Room	Minimum Total Air Changes Per Hour Supplied To Room	All Air Exhausted Directly To Outdoors	Recir- culated Within Room Units
ANESTHETIZING AND SPECIAL:					
Operating and obstetrical delivery (recirculating air system)	P	3	15	Optional	No ¹
Operating and obstetrical delivery (all outdoor air system) ⁶	P	15	15	Yes	No
Recovery	P	2	6	Optional	No ¹
Trauma ²	P	3	15	Optional	No ¹
CRITICAL CARE:					
Intensive care	P	2	6	Optional	No
NURSING:					
Birthing	P	((5))	((12))	Optional	No ¹
Nursery, newborn	P	$\frac{2}{2}$	$\frac{2}{6}$	Optional	No ¹
Patient	NA	2	2	Optional	Optional
Patient Corridor	NA	2	4	Optional	Optional
Patient isolation ³	P or N	2	6	Yes	No
Patient isolation alcove or anteroom ³	P or N	2	10	Yes	No
Patient toilet	N	Optional	10	Yes	No
RADIOLOGY AND IMAGING:					
Darkroom	N	2	10	Optional	No
X-ray	NA	2	6	Optional	Optional ₇
DIAGNOSTIC AND TREATMENT:					
Autopsy	N	2	12	Yes	No
Body holding, nonrefrigerated ⁴	N	Optional	10	Yes	No
Examination	NA N or P	2	6	Optional	Optional
Medication	P	2	4	Optional	Optional
Nuclear medicine	N	2	6	Yes	No
Pharmacy	P	2	4	Optional	Optional
Physical therapy and hydrotherapy	N	2	6	Optional	Optional
Treatment	NA	2	6	Optional	Optional
LABORATORY:					
Bacteriology	N	2	6	Yes	No
Biochemistry	P	2	6	Optional	No
Cytology	N	2	6	Yes	No
Glass washing	N	2	10	Yes	Optional
Histology	N	2	6	Yes	No
Media transfer	P	2	4	Optional	No ²
Pathology	N	2	6	Yes	No
Serology	P	2	6	Optional	No
Sterilizing	N	Optional	10	Yes	No

TABLE 719-3
GENERAL PRESSURE RELATIONSHIPS AND
VENTILATION OF CERTAIN HOSPITAL AREAS

Area/Room Name	Pressure Relation-Ship To Adjacent Areas	Minimum Air Changes Of Outdoor Air Per Hour Supplied To Room	Minimum Total Air Changes Per Hour Supplied To Room	All Air Exhausted Directly To Outdoors	Recir-culated Within Room Units
CENTRAL SERVICE:					
Clean workroom and sterile storage	P	2	4	Optional	Optional
Equipment storage ETO sterilizer ⁷	NA	2 (Optional)	2	Optional	Optional
Sterilizer equipment	N	Optional	10	Yes	No
KITCHEN AND DIETARY:					
Dietary day storage	NA	Optional	2	Optional	No
Food preparation centers ⁵	NA	2	10	Yes	No
Ware washing	N	Optional	10	Yes	No
GENERAL:					
Bathroom	N	Optional	10	Yes	No
Bedpan	N	Optional	10	Yes	No
Janitors closet	N	Optional	10	Yes	No
Utility, clean	P	2	4	Optional	Optional
Utility, soiled	N	2	10	Yes	No

ABBREVIATIONS:

P = Positive

N = Negative

NA = Not Applicable (Continuous Direction Control Not Required)

NOTES:

- 1 Recirculating room units meeting the filtering requirements for the space may be used.
- 2 The term "trauma room" used in Table 719-3 is the operating room space in the trauma center routinely used for emergency surgery. The first aid room and/or "emergency room" used for general initial treatment of accident victims may be ventilated as noted for the "treatment room."
- 3 The isolation rooms described in the standards might be used in the average community hospital. The assumption is the isolation procedures will be for infectious patients and the room should also be suitable for normal private patient use when not needed for isolation.
- 4 The nonrefrigerated body-holding room would be applicable only for facilities not performing autopsies on site and using the space for a short period while waiting for body transfer to be completed.
- 5 Food preparation centers shall have ventilation systems with an excess of air supply for positive pressure when hoods are not in operation.
- 6 The number of air changes may be reduced when areas are not occupied.
- 7 See WAC 248-18-99902 (15) and (28).

TABLE 719-4
VENTILATION AND AIR CONDITIONING SYSTEMS
FILTER EFFICIENCIES IN HOSPITALS

AREA/ROOM NAME	FILTER BED 1 %	FILTER BED 2 %
Anesthetizing and Special:		
Operating and delivery	25	90
Organ transplant	25	90 (A)
Recovery	25	90
Special procedures	25	90
Critical Care:		
Intensive and CCU	25	90
Nursing:		
Birthing	25	90 (B)
Labor	25	90 (B)
Nursery, newborn	25	90
Patient	25	90 (B)
Patient treatment	25	90 (B)
Postpartum	25	90 (B)
Radiology and Imaging:		
X-Ray	25	90 (B)
Fluoroscopy	25	90 (B)
Laundry:	80	NA

TABLE 719-4
VENTILATION AND AIR CONDITIONING SYSTEMS
FILTER EFFICIENCIES IN HOSPITALS

AREA/ROOM NAME	FILTER BED 1 %	FILTER BED 2 %
Kitchen and Dietary:		
Food preparation	80	NA
Storage, bulk	25	NA
General:		
Administration	25	NA
Utility, soiled	25	NA

NOTES:

(A) 99.9% recirculating air.

(B) 80% acceptable with total outside air.

NA Not applicable.

TABLE 719-5
PATIENT CARE AREA
SINGLE ELECTRICAL RECEPTACLE OUTLET REQUIREMENTS

AREA/ROOM NAME	LOCATION IN ROOM (*ACCORDING TO PROGRAM UNLESS OTHERWISE STATED)	TOTAL	CRITICAL EMER- GENCY POWER	SPECIAL REQUIREMENTS (*HOSPITAL GRADE)
ANESTHETIZING AND SPECIAL:				
Delivery	*	12	12	*
Trauma	*	6	6	*
Patient holding	*	4	4	*
Operating	*	12	12	*
Recovery	Head of each bed	4	4	*
Special procedures	*	12	12	*
CRITICAL CARE:				
Intensive care and other	Head of each bed	12	12	*
NURSING:				
Birthing and LDR	* for woman and infant	6	2	*
Nursery	Between every two bassinets and *	4	4	
Nursery, intermediate care	Each station and *	6	6	*
Nursery, neonatal intensive care	Each station and *	12	12	*
Pediatric	Head of bed	4	2	Tamper- resistant safety receptacles
Pediatric critical care	Head of bed and *	12	12	*
Psychiatric	Head of bed	2	0	Tamper- resistant safety receptacles
DIAGNOSTIC AND TREATMENT:				
Emergency examination	One per wall	4	4	*
Emergency, minor	One per wall	6	6	*
Physical therapy		((2-(A)))	<u>2(A)</u>	(B)

TABLE 719-5
PATIENT CARE AREA
SINGLE ELECTRICAL RECEPTACLE OUTLET REQUIREMENTS

AREA/ROOM NAME	LOCATION IN ROOM (*ACCORDING TO PROGRAM UNLESS OTHERWISE STATED)	TOTAL	CRITICAL EMER- GENCY POWER	SPECIAL REQUIREMENTS (*HOSPITAL GRADE)
Occupational therapy	*			
Radiology and imaging	*	(C)		
LABORATORY:				
General	*			
Critical equipment	*	2	2	(D)
GENERAL:				
Patient lavatories		2	0	(E)
Other lavatories		0	0	(E)
All bathing facilities		0	0	(E)

NOTES:

- (A) Per treatment area sufficient to support diagnostic and treatment activities.
- (B) Ground fault circuit interrupter when installed within five feet of wet areas.
- (C) Sufficient to support diagnostic and treatment.
- (D) With grounding conductor and dedicated circuits as required per each piece of equipment and sufficient to support work station.
- (E) When installed within five feet of lavatories and bathing facilities, ground fault circuit interrupter required.

TABLE 719-6
CALL SYSTEMS

AREA/ROOM NAME	SYSTEM TYPE	INITIATION LOCATION	INDICATOR TYPE	INDICATOR LOCATION
Psychiatric activity	MES	H,I,C	C	
Psychiatric patient	MES	H	C	
Psychiatric seclusion	MES	H	C	
RADIOLOGY AND IMAGING:				
X-ray, Fluoroscopy	MES	H	E	E
DIAGNOSTIC AND TREATMENT:				
Emergency exam	PNC	A	B	C
	MES	H	E	E
Minor treatment	PNC	A	B,C	B,C
	MES	H	E	E
Nuclear medicine	MES	H	E	E
Physical therapy	PNC	I	B,C	B,C
	MES	H	E	E
Occupational therapy	MES	H	E	E
GENERAL:				
Emergency entrance	Doorbell	Outside hospital door	AS/VL	At a 24-hour monitored duty station
Utilities	AS/VL		AS/VL	Duty station

TABLE 719-6
CALL SYSTEMS

AREA/ROOM NAME	SYSTEM TYPE	INITIATION LOCATION	INDICATOR TYPE	INDICATOR LOCATION
ANESTHETIZING AND SPECIAL:				
Delivery	MES	H	E	E
Trauma	MES	H,A	E	E
Operating	MES	H	E	C
Patient holding area	PNC	A	B	B
Patient induction	PNC	A	B	B
	MES	H	E	E
Recovery stations	PNC	A	G	C
	MES	H		
CRITICAL CARE:				
Intensive and coronary care	PNC	A	B	B
	MES	H,A	E	E
NURSING:				
Birthing	PNC	A	B	B
	MES	A,H	E	E
Labor	PNC	A	B	B
	MES	H	E	E
Nursery, neonatal intensive care	MES	H	E	E
Nursery, intermediate care	MES	H	E	E
Nursery, newborn	MES	H	E	E
Nurses station			Annunciator panel for PNC/MES	
Patient dressing	PNC	F	B,D	B
Patient	PNC	A	B	B
Patient shower, bathroom and toilet	PNC	F	B,D	B

ABBREVIATIONS:

- PNC = Patient nurse call
- MES = Medical emergency signal
- AS = Audible signal
- VL = Visual light

NOTES:

- A Head of bed.
- B Register by light at corridor door or treatment area and register by light and audible signal at the nurses' station and duty stations.
- C Call signals initiated by staff within a department by remote or other means to register at a staff control point from which assistance is always available.

- D Signals from toilets and bathing facilities to have distinctive light and distinctive audible signals.
- E Medical emergency system devices to register by distinctive light at the corridor door. Nurses' station annunciator or equivalent shall identify point of origin by a distinctive light and distinctive audible signal. Signal device to be reset only by staff at the point of origin. Distinctive visual and distinctive audible signals at locations from which additional staff assistance is always available.
- F A properly located signal device mounted no higher than six feet above the floor and activated by a nonconductive pull cord within easy grasp by a patient slumped forward on the floors of either the toilet, bathing facility, or dressing room.
- G Register by light and outside each patient station or register by light and audible signal at the nurses' station.
- H Properly located signal device within easy reach by staff.
- I Any area not within direct observation.
- J May be integrated with other systems.

AMENDATORY SECTION (Amending Order 009, filed 11/1/89, effective 12/2/89)

WAC 248-18-99902 APPENDIX B—DATES OF DOCUMENTS ADOPTED BY REFERENCE IN CHAPTER 248-18 WAC. (1) National Fire Protection Association (NFPA), 99, Chapter 12, 1987. Required.

(2) American Society of Heating, Refrigerating, and Air Conditioning Engineers (ASHRAE) Handbook – five volumes: 1987 HVAC Systems and Applications; 1983 Equipment; 1985 Fundamentals; 1986 Refrigeration. Recommended.

(3) Uniform Plumbing Code Standards, WAC 51-16-060, as hereafter amended, 1985 edition. Required.

(4) National Fire Protection Association (NFPA), 99, Chapter 4, 1987. Required.

(5) National Fire Protection Association (NFPA), 90A-1985. Required.

(6) Food Service Equipment Standards of the National Sanitation Foundation. Required.

(7) Recommended are:

(a) "Biosafety in Microbiological and Biomedical Laboratories," Appendix A; "Biological Safety Cabinet," United States Department of Health and Human Services, Publication No. (NIH) 88-8395, Second Edition, May 1988.

(b) "National Sanitation Foundation Standard No. 49 (NSF No. 49) for Class II Biohazard Cabinetry," revised June 1987.

(8) Uniform Mechanical Code, WAC 51-16-040, as now and hereafter amended. Required.

(9) Underwriters Laboratories (UL), 181 Factory Made Air Ducts and Connectors, 1984 edition. Required.

(10) Sheet Metal and Air Conditioning Contractors' National Association, Inc., (SMACNA), Duct Liner Application Standard, 1985. Required.

(11) Compressed Gas Association, Inc., Pamphlet Number P-2.1-1983, "Recommendations for Medical-Surgical Vacuum Systems," 1983 edition. Recommended.

(12) Illuminating Engineers Lighting Handbook (IES), 1987 Application Volume. Recommended.

(13) National Fire Protection Association (NFPA) 70-1987. Required.

(14) Method of Testing Air-Cleaning Devices Used In General Ventilation for Removing Particulate Matter, American Society of Heating, Refrigeration, and Air Conditioning Engineers (ASHRAE), Standard 52-76, 1976 edition. Required.

(15) National Fire Protection Association (NFPA) 30-1987. Required.

(16) National Fire Protection Association (NFPA) 99, CHAPTER 7, 1987. Required.

(17) National Fire protection Association (NFPA) 43C-1986. Required.

(18) National Council on Radiation Protection Handbook No. 49. Required.

(19) Chapter 51-10 WAC Washington State Regulations for Barrier-Free Facilities, second edition. Required.

(20) Uniform Building Code Standards, WAC 51-16-030, as now and hereafter amended. (~~Required.~~

~~(21) Chapter 248-54 WAC Public Water Supplies. Required:~~

~~(22) Chapter 248-92 WAC Public Sewage. Required:~~

~~(23) Chapter 248-96 WAC On-Site Sewage Disposal. Required:~~

~~(24) National Institute for Occupational Safety and Health (NIOSH) Standard. Required:~~

~~(25) Chapter 212-12 WAC Fire Marshal Standards. Required:~~

~~(26) Guidelines for Construction and Equipment of Hospital and Medical Facilities, Department of Health and Human Services, 1987. Required:~~

~~(27) Chapter 402-24 WAC Standards for Protection Against Radiation. Required:~~

~~(28) WAC 296-62-07353 General Occupational Health Standards for Ethylene Oxide. Required.))~~

(21) Chapter 248-54 WAC Public Water Supplies. Required.

(22) Chapter 248-92 WAC Public Sewage. Required.

(23) Chapter 248-96 WAC On-Site Sewage Disposal. Required.

(24) National Institute for Occupational Safety and Health (NIOSH) Standard. Required.

(25) Chapter 212-12 WAC Fire Marshal Standards. Required.

(26) Guidelines for Construction and Equipment of Hospital and Medical Facilities, Department of Health and Human Services, 1987. Required.

(27) Chapter 402-24 WAC Standards for Protection Against Radiation. Required.

(28) WAC 296-62-07353 General Occupational Health Standards for Ethylene Oxide. Required.

WSR 90-12-015
PROPOSED RULES
DEPARTMENT OF
NATURAL RESOURCES
[Filed May 30, 1990, 1:52 p.m.]

Original Notice.

Title of Rule: Forest protection zone—Vashon and Maury Island.

Purpose: Removing the forest land on Vashon and Maury Island from the Department of Natural Resources forest protection zone.

Other Identifying Information: Allowing King County Fire Protection District 13 to provide fire protection to forest lands previously protected by the Department of Natural Resources.

Statutory Authority for Adoption: RCW 76.04.165.

Summary: It has been determined by mutual agreement between the department and King County Fire Protection District 13, that forest land on Vashon and Maury Island can best be protected year around by the district. Said lands will no longer be subject to assessment under RCW 76.04.610 or 76.04.630.

Reasons Supporting Proposal: Improved service to forest landowners.

Name of Agency Personnel Responsible for Drafting: Howard Thronson, Lacey, Washington, (206) 459-6900; Implementation and Enforcement: Mike Griggs, Enumclaw, Washington, (206) 825-1631.

Name of Proponent: Department of Natural Resources, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Forest land on Vashon and Maury Island are currently the protection responsibility of the Department of Natural Resources. The department has contracted with King County Fire Protection District 13 for many years to provide this protection. It has been shown and determined that the district is best suited to assume the responsibility for providing protection to these lands. The rule removes these lands from the departments forest protection zone and removes the forest assessments authorized by RCW 76.04.610 and 76.04.630 from these lands.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Vashon Island Courthouse, 19021 Vashon Island Highway S.W., on July 11, 1990, at 7:30 p.m.

Submit Written Comments to: Howard Thronson, Department of Natural Resources, Mailstop PY-19, Olympia, Washington 98504, by July 11, 1990.

Date of Intended Adoption: July 18, 1990.

March 20, 1990
Brian J. Boyle
Commissioner of
Public Lands

NEW SECTION

WAC 332-24-700 FOREST PROTECTION ZONE-VASHON AND MAURY ISLANDS. (1) It is determined that all forest land situated on Vashon and Maury Island are best protected by King County Fire Protection District 13. Therefore, the forest land on Vashon and Maury Island is removed from the department's forest protection zone and becomes the protection responsibility of the district.

(2) Forest land on Vashon and Maury Island will not be assessed under RCW 76.04.610 or 76.04.630.

WSR 90-12-016

PROPOSED RULES

**DEPARTMENT OF PERSONNEL
(Personnel Board)**

[Filed May 30, 1990, 2:35 p.m.]

Continuance of WSR 90-08-071.

Title of Rule: New WAC 356-46-135 Return to work program—Purpose; 356-46-140 Return to work program—Responsibilities—State agencies; and 356-46-145 Return to work program—Employee eligibility.

Purpose: The purpose of these three new rules is to establish an early return to work program for employees who are receiving compensation under RCW 51.32.060 for temporary disabilities.

Statutory Authority for Adoption: RCW 41.06.040.

Statute Being Implemented: RCW 41.06.150.

Summary: The rules establish the program purpose, define the responsibilities of state agencies for its implementation and establishes participation guidelines.

Reasons Supporting Proposal: The return to work rules are being proposed to comply with legislation directing the state to establish a return to work program, section 3 of chapter 41.06 RCW.

Name of Agency Personnel Responsible for Drafting: Jill Schwenke, 521 Capitol Way South, Olympia, 586-1769; Implementation and Enforcement: Department of Personnel.

Name of Proponent: Department of Personnel, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: The return to work program is being established to encourage state agencies to find light or modified work for their employees that are temporarily disabled and unable to do their usual work. Agencies that are successful will be able to take advantage of a new industrial insurance premium refund account established under section 3 of chapter 51.44 RCW.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Department of Personnel, 521 Capitol Way South, Olympia, WA, on June 14, 1990, at 10:00 a.m.

Submit Written Comments to: Jill Schwenke, Department of Personnel, P.O. Box 1789, FE-11, Olympia, WA 98507, by June 12, 1990.

Date of Intended Adoption: June 14, 1990.

May 14, 1990
Dee W. Henderson
Secretary

WSR 90-12-017

PROPOSED RULES

**DEPARTMENT OF PERSONNEL
(Personnel Board)**

[Filed May 30, 1990, 2:36 p.m.]

Continuance of WSR 90-10-015.

Title of Rule: Amending WAC 356-14-240 Overtime compensation method; 356-15-060 Shift premium provision and compensation; and 356-15-125 Assignment pay provisions.

Purpose: These rules currently govern shift and assignment pay for employees who choose to accept compensatory time in lieu of cash payment for overtime.

Statutory Authority for Adoption: RCW 41.06.040.

Statute Being Implemented: RCW 41.06.150.

Summary: This proposal will clarify when shift premium earned during overtime will be paid.

Reasons Supporting Proposal: The present rule does not give clear direction as to when shift premium should be paid to determine some consistencies between agencies.

Name of Agency Personnel Responsible for Drafting: Gail Salisbury, 521 Capitol Way South, 753-5383; **Implementation and Enforcement:** Department of Personnel.

Name of Proponent: Arthur Morse, Personnel Manager, Department of Transportation, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Currently, these rules that are proposed for amendments do not clarify when shift premium will be paid when earned during overtime work. This proposal will allow agencies to be consistent when applying these rules.

Proposal Changes the Following Existing Rules: WAC 356-14-240 provides that assignment pay will be paid to any employee who utilized any compensatory time during permanent assignment to a "special assignment pay" job; and it provides that no credit or payment for overtime earned at assignment pay rates will be made if the overtime is credited as compensatory time.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Department of Personnel, 521 Capitol Way South, Olympia, WA, on June 14, 1990, at 10:00 a.m.

Submit Written Comments to: Gail Salisbury, Department of Personnel, P.O. Box 1789, FE-11, Olympia, WA 98507, by June 12, 1990.

Date of Intended Adoption: June 14, 1990.

May 14, 1990
Dee W. Henderson
Secretary

WSR 90-12-018
PROPOSED RULES
DEPARTMENT OF PERSONNEL
(Personnel Board)

[Filed May 30, 1990, 2:37 p.m.]

Original Notice.

Title of Rule: Amending WAC 356-26-040 Registers—Name removal for cause—Grounds enumerated—Requirements.

Purpose: This rule establishes the circumstances for which candidates can be removed from registers.

Statutory Authority for Adoption: RCW 41.06.040.

Statute Being Implemented: RCW 41.06.150.

Summary: The proposed rule change would enable a candidate on the reduction-in-force and reversion register to stay on the registers after turning down the first offer of employment. After the third waive of consideration their name would be removed from the register.

Reasons Supporting Proposal: The change would allow the employees the same rights to waive consideration as a promotional or open competitive. Also, the change would help ensure a better match of employee to position if the employee is not required to accept the first offer of employment.

Name of Agency Personnel Responsible for Drafting: Jill Schwenke, 521 Capitol Way South, Olympia, 586-1769; **Implementation and Enforcement:** Department of Personnel.

Name of Proponent: Department of Personnel, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: If an agency needs to fill a vacancy and there is a candidate on the reduction-in-force (RIF) register the agency will only receive that candidates name for consideration. The agency can either offer the candidate the position or decide not to fill it. The candidate either accepts the offer or is removed from the register. The same is true in regard to the dual-agency reversion register.

Proposal Changes the Following Existing Rules: This rule change will allow the candidate on these registers to waive consideration three times before their name is removed. This will allow the candidate more flexibility to choose a position that may be a better fit for them. It will also give the candidates on the RIF and reversion registers the same waive rights as promotional candidates. The change will also allow for the consistent treatment of removal of candidates after waives.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Department of Personnel, 521 Capitol Way South, Olympia, WA, on July 12, 1990, at 10:00 a.m.

Submit Written Comments to: Jill Schwenke, Department of Personnel, P.O. Box 1789, FE-11, Olympia, WA 98507, by July 10, 1990.

Date of Intended Adoption: July 12, 1990.

May 23, 1990
Dee W. Henderson
Secretary

AMENDATORY SECTION (Amending Order 279, filed 6/17/87, effective 8/1/87)

WAC 356-26-040 REGISTERS—NAME REMOVAL FOR CAUSE—GROUNDS ENUMERATED—REQUIREMENTS. (1) The director of personnel or designee may remove the name of an eligible from a register for any of the following reasons:

(a) For any of the causes stipulated in the chapter on appeals (WAC 356-34-010).

(b) On evidence that the eligible cannot be located by the postal authorities.

(c) On receipt of a statement from the eligible declining an appointment and/or future interest in positions in that class.

(d) If a candidate from a reduction in force register or a dual agency reversion register has waived ~~((the first))~~ three offers of employment ~~(- or a candidate from a promotional register has twice waived consideration)~~ for a position in the class for which the register was established.

(e) If a candidate from a promotional register has waived consideration three times for a position in the class for which the register was established.

~~((f))~~ (f) If an eligible fails to reply to a written inquiry as to availability after five days in addition to the time required to receive and return the inquiry.

~~((f))~~ (g) If an eligible accepts an appointment and fails to report for duty at the time and place specified without giving satisfactory reasons for the delay to the appointing authority.

~~((g))~~ (h) If an eligible was certified and reported "not satisfactory" on three occasions or if the eligible was certified and the appointing authority reported the eligible "considered but not appointed" on four separate occasions, or if the appointing authority reports either "not satisfactory" or "considered but not appointed" for a total of four times. The director of personnel or designee will monitor all name removals for adverse effect and/or disparate treatment of protected group members.

~~((h))~~ (i) If an open competitive eligible indicates availability in a specific geographic area and subsequently refuses referral or appointment to a position in that area.

~~((i))~~ (j) If the appointing authority reports that the eligible was offered employment but could not comply with the personal identification and work authorization requirements of the federal Immigration Reform and Control Act (I.R.C.A.).

(2) The director of personnel or designee shall notify the eligible of this action and the reasons therefore by mail to the last known address, except in those cases in subsection (1)(b) or (c) of this section. The director of personnel or designee will advise the eligible of the right to appeal.

(3) An eligible's name shall be reinstated on the register upon showing of cause satisfactory to the director of personnel or in accordance with the decision of the personnel board upon appeal.

WSR 90-12-019
PROPOSED RULES
DEPARTMENT OF PERSONNEL
(Personnel Board)

[Filed May 30, 1990, 2:38 p.m.]

Original Notice.

Title of Rule: Amending WAC 356-30-320 Trial service—Reversion—Status.

Purpose: The rule describes the status of an employee who fails to perform satisfactory [satisfactorily] and who is reverted voluntarily or involuntarily during their trial service period.

Statutory Authority for Adoption: RCW 41.06.040.

Statute Being Implemented: RCW 41.06.150.

Summary: Currently an employee's name can be removed from the reversion register for failure to accept the first offer of employment. The proposed change would give the employee the option of refusing three offers of employment before their name is removed from the reversion register.

Reasons Supporting Proposal: The change will allow the employee to reject three offers of employment before their name is removed.

Name of Agency Personnel Responsible for Drafting: Jill Schwenke, 521 Capitol Way South, Olympia, 586-1769; **Implementation and Enforcement:** Department of Personnel.

Name of Proponent: Department of Personnel, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: The entire rule describes the status of an employee who is reverted during a trial service period. It outlines their register rights, appeal rights, the difference between the status of an employee who is reverted within agency versus an employee who is reverted between agencies, and the difference between voluntary and involuntary reversion.

Proposal Changes the Following Existing Rules: The change will be to the status of an employee on the reversion register. The current rule states that an employee's name will be removed from the reversion register if he/she refuses the first offer of employment. The change will allow the employee to reject the first offer of employment and give them two more chances before their name is removed.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Department of Personnel, 521 Capitol Way South, Olympia, WA, on July 12, 1990, at 10:00 a.m.

Submit Written Comments to: Jill Schwenke, Department of Personnel, P.O. Box 1789, FE-11, Olympia, WA 98507, by July 10, 1990.

Date of Intended Adoption: July 12, 1990.

May 23, 1990

Dee W. Henderson
Secretary

AMENDATORY SECTION (Amending Order 339, filed 2/13/90, effective 4/1/90)

WAC 356-30-320 TRIAL SERVICE—REVERSION—STATUS. (1) Employees who were appointed from a voluntary demotion register to a class not previously held or from a promotional register within the same agency and fail to satisfactorily complete the trial service period shall automatically revert to a position in the former classification.

(2) Employees who were appointed from a voluntary demotion register to a class not previously held or from a promotional register into another agency and who fail to satisfactorily complete the trial service period shall be given fifteen calendar days' written notice and placed on the dual-agency reversion register and the service-wide reversion register for their former class. If an employee elects not to accept the ~~((first))~~ third offer of employment, the employee's name is removed from the reversion register. The employee may then request his/her name be placed on the reemployment register.

~~((f))~~ (3) Employees who are reverted do not have the right of appeal.

(4) Former permanent employees who have promoted, demoted, or transferred to a position under the jurisdiction of the higher education personnel board in accordance with provisions of their rules and fail to complete their trial service period may request their names be placed on the dual-agency reversion register and service-wide reversion register for their former class.

(5) Employees who are reemployed from the service-wide reversion registers shall enter a trial service period. Employees reverted during this period may request their names be placed on the register from which they came.

(6) Employees who voluntarily revert to their former class may request the director of personnel to reactivate their promotional score for the class from which reverted. Employees involuntarily reverted to a former class shall have all examination grades nullified for the class from which they are reverted.

WSR 90-12-020
PERMANENT RULES
DEPARTMENT OF PERSONNEL
(Personnel Board)

[Order 346—Filed May 30, 1990, 2:39 p.m., effective July 1, 1990]

Date of Adoption: May 10, 1990.

Purpose: This rule defines the results of medical examinations as a cause for disqualifying applicants from eligibility for a referral register or examination.

Citation of Existing Rules Affected by this Order:
 Amending WAC 356-22-070 Applications—Disqualification.

Statutory Authority for Adoption: RCW 41.06.040 and 41.06.150.

Pursuant to notice filed as WSR 90-08-072 on April 2, 1990.

Effective Date of Rule: July 1, 1990.

May 14, 1990
 Dee W. Henderson
 Secretary

AMENDATORY SECTION (Amending Order 267, filed 1/2/87)

WAC 356-22-070 APPLICATIONS—DISQUALIFICATION. The director of personnel is expected to follow accepted standards of personnel practice in screening applicants and may refuse to examine an applicant, may disqualify an applicant after examination or may remove the applicant's name from a register or refuse to certify the applicant if:

(1) The applicant is found to lack any of the requirements established for the register (as defined in WAC 356-26-030) or the class.

(2) The applicant has been convicted of any infamous crime, a crime involving moral turpitude, or any crime which would be grounds for dismissal from the position for which he/she is applying.

(3) The applicant has made a false statement of material fact in the application.

(4) The applicant has previously been dismissed or requested to resign from private or public service for delinquency, misconduct, inability to do similar work, or any other such cause directly bearing upon fitness as an employee.

(5) The applicant has used, or attempted to use, bribery to secure an advantage in the examination or appointment.

(6) The applicant has directly or indirectly obtained information regarding examinations to which he/she was not entitled.

(7) The applicant has otherwise violated provisions of these rules.

(8) The applicant has taken part in the compilation, administration or correction of the examination.

(9) The applicant has a disability, as evidenced by a ((medical examination)) written statement from a physician or a licensed mental health professional, that renders the employer unable to reasonably accommodate the applicant in any position within the class.

WSR 90-12-021
EMERGENCY RULES
DEPARTMENT OF PERSONNEL
(Personnel Board)

[Order 347—Filed May 30, 1990, 2:40 p.m.]

Date of Adoption: May 10, 1990.

Purpose: The purpose of the current rules is to limit the number of names to be certified to fill vacancies to four more than the number of vacancies to be filled, and to limit the number of names of protected group members certified to three. Candidates are ranked by highest score. If there is a tied score candidates names are chosen by lot.

Citation of Existing Rules Affected by this Order:
 Amending WAC 356-06-080 and 356-26-060.

Statutory Authority for Adoption: RCW 41.06.040 and 41.06.150.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The State Personnel Board adopted these rules on an emergency basis to comply with the 1990 legislation which will go into effect on June 8, 1990.

Effective Date of Rule: June 8, 1990.

May 14, 1990
 Dee W. Henderson
 Secretary

AMENDATORY SECTION (Amending Order 251, filed 5/30/86, effective 7/1/86)

WAC 356-06-080 PERSONNEL BOARD—POWERS—DUTIES. *It shall be the responsibility of the personnel board to:*

(1) *Establish general policies for the administration of merit system examinations and the hearing of personnel appeals.*

(2) *Make rules and regulations providing for employee participation in the development and administration of personnel policies.*

(3) *Hear personnel appeals.*

(4) *Promote public understanding of the purposes, policies, and practices of the merit system.*

(5) *Adopt and promulgate rules and regulations consistent with the purposes and provisions of the state civil service law and with the best standards of personnel administration, regarding the basis and procedures to be followed for:*

(a) *The demotion, suspension, reduction in salary or dismissal of an employee and appeals therefrom.*

(b) *Certification of names for vacancies including departmental promotions ((with the number of names equal to four more names than there are vacancies to be filled. The names shall represent applicants ranked highest on eligibility lists)).*

(c) *Examinations for all positions in the competitive and noncompetitive service.*

- (d) Appointments.
- (e) Probationary periods of six to twelve months and rejections therein.
- (f) Transfers.
- (g) Sick and vacation leaves.
- (h) Hours of work.
- (i) Layoffs, when necessary, and subsequent reemployment.
- (j) Agreements between agencies and certified exclusive representatives providing for grievance procedures and collective negotiations on personnel matters.
- (k) Adoption and revision of a comprehensive classification plan for all positions in the classified service, based on investigation and analysis of duties and responsibilities of each position.
- (l) Allocation and reallocation of positions within the classification plan.
- (m) Adoption and revision of a state salary schedule to reflect not less than the prevailing rates in Washington state private industries and other governmental units for positions of a similar nature, with adoption and revision subject to approval by the director of the office of financial management in accordance with the provisions of chapter 43.88 RCW.
- (n) Training programs, including in-service, promotional and supervisory.
- (o) Regular increments within the series of steps for each pay range, based on length of service for all employees whose standards of performance are such as to permit them to retain job status in the classified service.
- (p) Compliance with existing veterans preference statutes.

AMENDATORY SECTION (Amending Order 284, filed 11/24/87, effective 1/1/88)

WAC 356-26-060 CERTIFICATION—GENERAL METHODS. Upon receipt of a request for certification, the director of personnel shall normally certify to the appointing authority a list of names equal in number to four more than there are vacancies to be filled from the ranked registers except:

- (1) One name will constitute a complete certification when referrals are made from the agency reduction in force register, the service-wide reduction in force register, or the dual agency reversion register. When an appointing authority requests a selective certification for specialized qualifications, the eligible candidate must meet the selective criteria in order to be referred to the position, provided:
 - (a) The criteria were approved when the position was established, reallocated, or last filled; or
 - (b) The specialized qualifications were previously required for a classification that was later merged with other classifications that did not require them; or
 - (c) It has been determined that the position involves new duties that would warrant future selective certification. Such selective criteria shall not be applied for certification purposes until six months after the department of personnel approves the selective criteria for the position.
 - (d) In the case of (a), (b), or (c) of this subsection, the director of personnel or designee must determine

that the specialized qualifications are still required for successful job performance and cannot be learned within a reasonable length of time.

(2) Where all names are certified exclusively from an open competitive register, the director of personnel may certify in ranked order up to all of the names from the open competitive register: **PROVIDED**, That the appointing authority shall select from those eligibles available from the highest ranking names which constitute five names per vacancy to be filled.

(3) ~~((When more than one candidate has the same examination rating and when necessary to limit the number of names to four more than the number of vacancies, ties shall be broken by lot upon each instance of certification))~~ The names of candidates from the same register who have the same score as the lowest score to be certified will also be certified.

(4) An unranked register may be used to complete a certification. In such cases, all names appearing on that register shall be certified. Subsequent unranked registers shall not be used until the certification is again incomplete.

(5) The director of personnel, upon request and after consultation with the employing agency and employee representatives, may declare positions, groups of positions or classes of positions as in-training positions. The in-training designation is normally at the second level of a series. Such positions may be filled from the register for the entry level class in the series. The employee shall automatically advance to the higher level after completion of one year of service in the entry level class. When the classification specifications require completion of a formal training plan to advance, such positions may be filled from a register of any lower level class in the series; the employee shall automatically advance to the next higher level in the series after completion of the training period designated in the specification.

(6) When the vacancy to be filled is identified as part of an agency's affirmative action goals as established by their approved affirmative action plan, the director of personnel may, except where there are employees on the reduction in force register, refer up to three additional names per vacancy of individuals who are on existing registers and who are members of the protected groups. More than three additional names per vacancy will be certified if there are protected group candidates with the same score as the lowest score to be certified. This action may be taken when necessary to comply with the best standards of personnel administration as contemplated by chapter 41.06 RCW.

Prior to the utilization of this subsection, the agency shall determine if there are protected group members on the existing registers. If there are fewer than three protected group members on the register, the agency shall:

- (a) Appoint one of the eligibles from the register, or
- (b) Request assistance from the department of personnel in completing the certification. The department of personnel and the agency will then initiate targeted recruitment.

(7) When one or more of the following conditions exist, the director of personnel or designee may certify a sufficient number of names to assure that the requesting

agency has not less than five names available for consideration:

(a) The position is in an isolated or undesirable location.

(b) The position has undesirable working conditions.

(c) The agency needs to fill several positions in the class.

(d) One or more agencies have had difficulty filling positions in the class.

(e) The director of personnel or designee determines that such certification is necessary to provide the requesting agency with efficient service.

If such certification contains five or more available promotional candidates, agencies shall appoint from the promotional candidates.

(8) Permanent employees certified from a ranked register for consideration of appointment shall be notified by the agency at the time of the referral. Upon appointment the agency shall advise those employees certified but not appointed of the action taken.

WSR 90-12-022
PERMANENT RULES
DEPARTMENT OF PERSONNEL
(Personnel Board)

[Order 348—Filed May 30, 1990, 2:41 p.m.]

Date of Adoption: May 10, 1990.

Purpose: The purpose of the current rules is to limit the number of names to be certified to fill vacancies to four more than the number of vacancies to be filled, and to limit the number of names of protected group members certified to three. Candidates are ranked by highest score. If there is a tied score candidates names are chosen by lot.

Citation of Existing Rules Affected by this Order: Amending WAC 356-06-080 and 356-26-060.

Statutory Authority for Adoption: RCW 41.06.040 and 41.06.150.

Pursuant to notice filed as WSR 90-08-075 on April 2, 1990.

Effective Date of Rule: Thirty days after filing.

May 14, 1990

Dee W. Henderson
Secretary

AMENDATORY SECTION (Amending Order 251, filed 5/30/86, effective 7/1/86)

WAC 356-06-080 PERSONNEL BOARD—POWERS—DUTIES. It shall be the responsibility of the personnel board to:

(1) Establish general policies for the administration of merit system examinations and the hearing of personnel appeals.

(2) Make rules and regulations providing for employee participation in the development and administration of personnel policies.

(3) Hear personnel appeals.

(4) Promote public understanding of the purposes, policies, and practices of the merit system.

(5) Adopt and promulgate rules and regulations consistent with the purposes and provisions of the state civil service law and with the best standards of personnel administration, regarding the basis and procedures to be followed for:

(a) The demotion, suspension, reduction in salary or dismissal of an employee and appeals therefrom.

(b) Certification of names for vacancies including departmental promotions (~~with the number of names equal to four more than there are vacancies to be filled. The names shall represent applicants ranked highest on eligibility lists~~).

(c) Examinations for all positions in the competitive and noncompetitive service.

(d) Appointments.

(e) Probationary periods of six to twelve months and rejections therein.

(f) Transfers.

(g) Sick and vacation leaves.

(h) Hours of work.

(i) Layoffs, when necessary, and subsequent reemployment.

(j) Agreements between agencies and certified exclusive representatives providing for grievance procedures and collective negotiations on personnel matters.

(k) Adoption and revision of a comprehensive classification plan for all positions in the classified service, based on investigation and analysis of duties and responsibilities of each position.

(l) Allocation and reallocation of positions within the classification plan.

(m) Adoption and revision of a state salary schedule to reflect not less than the prevailing rates in Washington state private industries and other governmental units for positions of a similar nature, with adoption and revision subject to approval by the director of the office of financial management in accordance with the provisions of chapter 43.88 RCW.

(n) Training programs, including in-service, promotional and supervisory.

(o) Regular increments within the series of steps for each pay range, based on length of service for all employees whose standards of performance are such as to permit them to retain job status in the classified service.

(p) Compliance with existing veterans preference statutes.

AMENDATORY SECTION (Amending Order 284, filed 11/24/87, effective 1/1/88)

WAC 356-26-060 CERTIFICATION—GENERAL METHODS. Upon receipt of a request for certification, the director of personnel shall normally certify to the appointing authority a list of names equal in number to four more than there are vacancies to be filled from the ranked registers except:

(1) One name will constitute a complete certification when referrals are made from the agency reduction in force register, the service-wide reduction in force register, or the dual agency reversion register. When an appointing authority requests a selective certification for specialized qualifications, the eligible candidate must

meet the selective criteria in order to be referred to the position, provided:

(a) The criteria were approved when the position was established, reallocated, or last filled; or

(b) The specialized qualifications were previously required for a classification that was later merged with other classifications that did not require them; or

(c) It has been determined that the position involves new duties that would warrant future selective certification. Such selective criteria shall not be applied for certification purposes until six months after the department of personnel approves the selective criteria for the position.

(d) In the case of (a), (b), or (c) of this subsection, the director of personnel or designee must determine that the specialized qualifications are still required for successful job performance and cannot be learned within a reasonable length of time.

(2) Where all names are certified exclusively from an open competitive register, the director of personnel may certify in ranked order up to all of the names from the open competitive register: PROVIDED, That the appointing authority shall select from those eligibles available from the highest ranking names which constitute five names per vacancy to be filled.

(3) ~~((When more than one candidate has the same examination rating and when necessary to limit the number of names to four more than the number of vacancies, ties shall be broken by lot upon each instance of certification))~~ The names of candidates from the same register who have the same score as the lowest score to be certified will also be certified.

(4) An unranked register may be used to complete a certification. In such cases, all names appearing on that register shall be certified. Subsequent unranked registers shall not be used until the certification is again incomplete.

(5) The director of personnel, upon request and after consultation with the employing agency and employee representatives, may declare positions, groups of positions or classes of positions as in-training positions. The in-training designation is normally at the second level of a series. Such positions may be filled from the register for the entry level class in the series. The employee shall automatically advance to the higher level after completion of one year of service in the entry level class. When the classification specifications require completion of a formal training plan to advance, such positions may be filled from a register of any lower level class in the series; the employee shall automatically advance to the next higher level in the series after completion of the training period designated in the specification.

(6) When the vacancy to be filled is identified as part of an agency's affirmative action goals as established by their approved affirmative action plan, the director of personnel may, except where there are employees on the reduction in force register, refer up to three additional names per vacancy of individuals who are on existing registers and who are members of the protected groups. More than three additional names per vacancy will be certified if there are protected group candidates with the

same score as the lowest score to be certified. This action may be taken when necessary to comply with the best standards of personnel administration as contemplated by chapter 41.06 RCW.

Prior to the utilization of this subsection, the agency shall determine if there are protected group members on the existing registers. If there are fewer than three protected group members on the register, the agency shall:

(a) Appoint one of the eligibles from the register; or

(b) Request assistance from the department of personnel in completing the certification. The department of personnel and the agency will then initiate targeted recruitment.

(7) When one or more of the following conditions exist, the director of personnel or designee may certify a sufficient number of names to assure that the requesting agency has not less than five names available for consideration:

(a) The position is in an isolated or undesirable location.

(b) The position has undesirable working conditions.

(c) The agency needs to fill several positions in the class.

(d) One or more agencies have had difficulty filling positions in the class.

(e) The director of personnel or designee determines that such certification is necessary to provide the requesting agency with efficient service.

If such certification contains five or more available promotional candidates, agencies shall appoint from the promotional candidates.

(8) Permanent employees certified from a ranked register for consideration of appointment shall be notified by the agency at the time of the referral. Upon appointment the agency shall advise those employees certified but not appointed of the action taken.

WSR 90-12-023
EMERGENCY RULES
DEPARTMENT OF PERSONNEL
(Personnel Board)

[Order 349—Filed May 30, 1990, 2:42 p.m.]

Date of Adoption: May 10, 1990.

Purpose: This rule limits the number of positions that can be put into the career executive program to one percent of employees covered by chapter 41.06 RCW.

Citation of Existing Rules Affected by this Order: Amending WAC 356-47-030 Career executive program—General provisions.

Statutory Authority for Adoption: RCW 41.06.040 and 41.06.150.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The State Personnel Board adopted this rule on an emergency basis to comply with 1990 legislation which goes into effect on June 8, 1990.

Effective Date of Rule: June 8, 1990.

May 14, 1990
Dee W. Henderson
Secretary

AMENDATORY SECTION (Amending Order 308, filed 9/7/88, effective 11/1/88)

WAC 356-47-030 CAREER EXECUTIVE PROGRAM—GENERAL PROVISIONS. (1) No more than ~~((one))~~ two percent of employees covered by chapter 41.06 RCW, the state civil service law, may be placed in the career executive program at one time.

(2) Employees shall not be placed in positions in the career executive program without their prior agreement.

(3) Employees holding temporary, emergency, or intermittent appointments to classified career executive positions are not considered to be participants in the career executive program.

(4) Employees shall not be offered reduction-in-force options or trial service reversion right to positions within the career executive program.

WSR 90-12-024
PERMANENT RULES
DEPARTMENT OF PERSONNEL
(Personnel Board)

[Order 350—Filed May 30, 1990, 2:43 p.m.]

Date of Adoption: May 10, 1990.

Purpose: This rule limits the number of positions that can be put into the career executive program to one percent of employees covered by chapter 41.06 RCW.

Citation of Existing Rules Affected by this Order: Amending WAC 356-47-030 Career executive program—General provisions.

Statutory Authority for Adoption: RCW 41.06.040 and 41.06.150.

Pursuant to notice filed as WSR 90-08-073 on April 2, 1990.

Effective Date of Rule: Thirty days after filing.

May 14, 1990
Dee W. Henderson
Secretary

AMENDATORY SECTION (Amending Order 308, filed 9/7/88, effective 11/1/88)

WAC 356-47-030 CAREER EXECUTIVE PROGRAM—GENERAL PROVISIONS. (1) No more than ~~((one))~~ two percent of employees covered by chapter 41.06 RCW, the state civil service law, may be placed in the career executive program at one time.

(2) Employees shall not be placed in positions in the career executive program without their prior agreement.

(3) Employees holding temporary, emergency, or intermittent appointments to classified career executive positions are not considered to be participants in the career executive program.

(4) Employees shall not be offered reduction-in-force options or trial service reversion right to positions within the career executive program.

WSR 90-12-025
PERMANENT RULES
DEPARTMENT OF PERSONNEL
(Personnel Board)

[Order 351—Filed May 30, 1990, 2:44 p.m., effective July 1, 1990]

Date of Adoption: May 10, 1990.

Purpose: To provide training and development guidance for career executive program participants and participating agencies in compliance with RCW 41.06.430.

Citation of Existing Rules Affected by this Order: Amending WAC 356-47-090 Career executive program—Development and training.

Statutory Authority for Adoption: RCW 41.06.040 and 41.06.150.

Pursuant to notice filed as WSR 90-08-070 on April 2, 1990.

Effective Date of Rule: July 1, 1990.

May 14, 1990
Dee W. Henderson
Secretary

AMENDATORY SECTION (Amending Order 250, filed 5/30/86, effective 7/1/86)

WAC 356-47-090 CAREER EXECUTIVE PROGRAM—DEVELOPMENT AND TRAINING. (1) Career executive employees shall be afforded development and training opportunities specifically designed to refine and broaden managerial knowledge, skills, and abilities.

(2) Each agency shall prepare an annual development and training plan for each of its career executive employees. Each plan shall be filed with the director of personnel, or designee, in accordance with WAC 356-47-070(2) and, subsequently, within 30 days after each annual evaluation period.

~~((Upon request, the department of personnel shall provide agencies with guidelines and assistance in the preparation of development and training plans for career executive employees.))~~

(3) All participating agencies shall insure that each agency career executive program participant completes one mobility assignment.

The department of personnel shall provide agencies with participation standards and guidelines to assist in the completion of mobility assignments and other developmental experiences.

WSR 90-12-026
EMERGENCY RULES
DEPARTMENT OF PERSONNEL
(Personnel Board)
 [Order 352—Filed May 30, 1990, 2:45 p.m.]

Date of Adoption: May 10, 1990.

Purpose: The purpose of the current rules is to establish exemptions to the classified service and allow classified employees who go into exempt positions up to eight years of return rights to classified service.

Citation of Existing Rules Affected by this Order: Amending WAC 356-06-055 and 356-06-020.

Statutory Authority for Adoption: RCW 41.06.040 and 41.06.150.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The State Personnel Board adopted these rules on an emergency basis to comply with 1990 legislation which will go into effect on June 8, 1990.

Effective Date of Rule: June 8, 1990.

May 14, 1990
 Dee W. Henderson
 Secretary

AMENDATORY SECTION (Amending Order 237, filed 10/23/85, effective 12/1/85)

WAC 356-06-055 EXEMPT—CLASSIFIED SERVICE—MOVEMENT BETWEEN. (1) Any classified employee having civil service status in a classified position who accepts an appointment in an exempt position shall have the right to return to the highest class of position in which the employee previously held permanent status, or to a position of similar nature and salary, ~~((within four years from the date of appointment to the exempt position. However, (a) upon the prior request of the appointing authority of the exempt position, the personnel board may approve one extension of no more than four years; and (b) if an appointment was accepted prior to July 10, 1982, then the four-year period shall begin as of that date))~~ provided the employee was not terminated from an exempt position for gross misconduct or malfeasance. Such employee must apply to return to classified service within 30 calendar days of:

(i) Termination of employment in such exempt position, or

(ii) Termination of employment in any other exempt position in which the employee subsequently served provided there was no break in his/her service with the state of more than 30 calendar days.

(2) When a classified employee holds a position in the classified service which is exempted, the following provisions shall apply at the time of the exemption:

(a) If the employee is appointed to the exempted position or to another exempt position, the employee shall

have the right to return to the classified service as specified in subsection (1) of this section.

(b) If the employee is not appointed to the exempted position or to another exempt position but has previously held permanent status in another classified position, the employee shall have the right to return to the highest class of position previously held, or to a position of similar nature and salary.

(3) Employees exercising return rights within the time specified, as provided in subsection (1) of this section, shall return:

(a) At the time of separation or application, whichever is later.

(b) To a salary not less than the salary they left, adjusted according to salary changes made in the interim.

(c) With the same status they last held at the time they left the classified service.

(d) With their seniority credited with the full time of their absence from the classified service and with no break in service.

(4) Present or past employees of the exempt service who have not previously left the classified service specifically to take an exempt position shall not be entitled to move back into the classified service under the provisions of this section or WAC 356-30-330.

(5) Employees may replace incumbents currently in the positions to which they are returning. The replaced incumbents are entitled to the rights and options of the reduction in force procedures of their agency.

Employees in the classified service whose positions have been exempted from the civil service law in accordance with RCW 41.06.070 (24), (25), or ~~((26))~~ (28) and have not previously held other classified positions may return to the classified service in any vacant positions in their respective departments provided the employees:

(a) Meet the minimum qualifications;

(b) Have greater seniority than other employees who would be offered the vacancy(ies) as a reduction in force option or certifications from the reduction in force register.

AMENDATORY SECTION (Amending Order 287, filed 11/24/87, effective 1/1/88)

WAC 356-06-020 EXEMPTIONS—EXCEPTIONS. With the exceptions noted in subsection ~~((20))~~ (19) of this section the provisions of these rules do not apply to:

(1) Members of the legislature or to any employee of, or position in, the legislative branch of the state government including members, officers and employees of the legislative council, legislative budget committee, statute law committee, and any interim committee of the legislature.

(2) Judges of the supreme court, of the superior courts or of the inferior courts or to any employee of, or position in the judicial branch of, state government.

(3) Officers, academic personnel and employees of state institutions of higher education, the state board for community college education, and the higher education personnel board.

(4) Employees of the state printing office.

- (5) The officers of the Washington state patrol.
- (6) Elective officers of the state.
- (7) The chief executive officer of each agency.
- (8) In the departments of employment security and fisheries, the director and the director's confidential secretary.
- (9) In the department of social and health services, the secretary, the secretary's executive assistant, if any; not to exceed six assistant secretaries, thirteen division directors, six regional directors and one confidential secretary for each of the above named officers; not to exceed six bureau directors and all superintendents of institutions of which the average daily population equals or exceeds one hundred residents: **PROVIDED**, That each such confidential secretary must meet the minimum qualifications for the class of secretary 2 as determined by the state personnel board.
- (10) In all departments except those mentioned in subsection (8) above, the executive head of which is appointed by the governor, the director, the director's confidential secretary, and the statutory assistant directors.
- (11) In the case of a multimember board, commission or committee, whether the members thereof are elected, appointed by the governor or other authority, serve ex officio, or otherwise chosen.
- (a) All members of such boards, commissions or committees.
- (b) If the members of the board, commission or committee serve on a part-time basis and there is a statutory executive officer:
- (i) The secretary of the board, commission or committee.
- (ii) The chief executive officer of the board, commission or committee.
- (iii) The confidential secretary of the chief executive officer of the board, commission or committee.
- (c) If the members of the board, commission or committee serve on a full-time basis:
- (i) The chief executive officer or administrative officer as designated by the board, commission or committee.
- (ii) The confidential secretary to the chairman of the board, commission or committee.
- (d) If all members of the board, commission or committee serve ex officio:
- (i) The chief executive officer.
- (ii) The confidential secretary of such chief executive officer.
- (12) The confidential secretaries and administrative assistants in the immediate offices of the elective officers of the state.
- (13) Assistant attorneys general.
- (14) Commissioned and enlisted personnel in the military service of the state.
- (15) Resident, student, part-time or temporary employees, and part-time professional consultants as defined by the state personnel board to include:
- (a) State and local officials serving ex officio and performing incidental administrative duties in the programs of the agency.
- (b) Part-time local health officers.

(c) Persons employed on a part-time, or temporary basis for medical, nursing or other professional service and who are not engaged in the performance of administrative duties.

(d) Part-time or temporary employees who are enrolled as full-time students in recognized educational institutions and whose employment is largely to provide training opportunity, and all temporary employees not in federal grant-in-aid programs.

(e) Patient and resident help in the covered institutions.

(f) Skilled and unskilled labor employed temporarily on force account; construction and maintenance projects; or employed on temporary seasonal single phases of agricultural production or harvesting; or as determined by the director of personnel to be equivalent.

(g) Washington state patrol trooper cadets in training for commissioning as troopers in the Washington state patrol.

(16) All officers and employees in those commissions made exempt by legislative action, namely:

(a) Washington state fruit commission.

(b) Washington state apple commission.

(c) Washington state dairy products commission.

(d) Washington state wheat commission.

(e) Officers and employees of any commission formed under the provisions of chapter 15.66 RCW.

(f) Agricultural commissions formed under the provisions of chapter 15.65 RCW.

(17) ~~((One deputy executive secretary of the Washington centennial commission.~~

~~((18)))~~ Up to a total of five senior staff positions of the Western library network under chapter 27.26 RCW responsible for formulating policy or for directing program management of a major administrative unit.

~~((19)))~~ (18) In the department of information services, up to twelve positions in the planning component involved in policy development and/or senior professionals.

~~((20)))~~ (19) Up to five employees of the Washington basic health plan.

~~((21)))~~ (20) Liquor vendors appointed by the Washington state liquor control board pursuant to RCW 66.08.050: **PROVIDED**, **HOWEVER**, That rules and regulations adopted by the state personnel board pursuant to RCW 41.06.150 regarding the basis for, and procedures to be followed for, the dismissal, suspension or demotion of an employee, and appeals therefrom shall be fully applicable to liquor vendors except those part-time agency vendors employed by the liquor control board, when, in addition to the sale of liquor for the state, they sell goods, wares, merchandise or services as a self-sustaining private retail business.

~~((22)))~~ (21) Executive assistants, for personnel administration and labor relations in all state agencies employing such executive assistants including but not limited to all departments, offices, commissions, committees, boards, or other bodies subject to the provisions of this chapter and this subsection shall prevail over any provision of law inconsistent herewith unless specific exception is made in such law.

(22) In each agency with fifty or more employees: Deputy agency heads, assistant directors or division directors, and not more than three principal policy assistants who report directly to the agency head or deputy agency head.

(23) In addition to the exemptions specifically provided by this chapter, the state personnel board may provide for further exemptions pursuant to the following procedures. The governor or other appropriate elected official may submit requests for exemption to the personnel board stating the reasons for requesting such exemptions. The personnel board shall hold a public hearing after proper notice, on requests submitted pursuant to this subsection. If the personnel board determines that the position for which exempting is requested is one involving substantial responsibility for the formulation of basic agency or executive policy or one involving directing and controlling program operations of an agency or a major administrative division thereof, the personnel board shall grant the request and such determination shall be final. The total number of additional exemptions permitted under this subsection shall not exceed one hundred eighty-seven for those agencies not directly under the authority of any elected public official other than the governor, and shall not exceed a total of twenty-five for all agencies under the authority of elected public officials other than the governor. The state personnel board shall report to each regular session of the legislature all exemptions granted (~~pursuant to the provisions of~~) under this subsection and subsections (21) and (22) of this section, together with the reasons for such exemptions.

(24) While other provisions of these rules do not apply, the personnel board shall determine salaries and fringe benefits of incumbents in all exempt positions in agencies with positions under the jurisdiction of the personnel board, other than positions listed under subsections (5) through (8), (11)(a) and (b), (12) through (16), and ~~((21))~~ (20) of this section.

WSR 90-12-027
PERMANENT RULES
DEPARTMENT OF PERSONNEL
(Personnel Board)

[Order 353—Filed May 30, 1990, 2:46 p.m.]

Date of Adoption: May 10, 1990.

Purpose: The purpose of the current rules is to establish exemptions to the classified service and allow classified employees who go into exempt positions up to eight years of return rights to classified service.

Citation of Existing Rules Affected by this Order: Amending WAC 356-06-055 and 356-06-020.

Statutory Authority for Adoption: RCW 41.06.040 and 41.06.150.

Pursuant to notice filed as WSR 90-08-074 on April 2, 1990.

Effective Date of Rule: Thirty days after filing.

May 14, 1990
Dee W. Henderson
Secretary

AMENDATORY SECTION (Amending Order 237, filed 10/23/85, effective 12/1/85)

WAC 356-06-055 EXEMPT—CLASSIFIED SERVICE—MOVEMENT BETWEEN. (1) Any classified employee having civil service status in a classified position who accepts an appointment in an exempt position shall have the right to return to the highest class of position in which the employee previously held permanent status, or to a position of similar nature and salary, ~~((within four years from the date of appointment to the exempt position. However, (a) upon the prior request of the appointing authority of the exempt position, the personnel board may approve one extension of no more than four years, and (b) if an appointment was accepted prior to July 10, 1982, then the four-year period shall begin as of that date))~~ provided the employee was not terminated from an exempt position for gross misconduct or malfeasance. Such employee must apply to return to classified service within 30 calendar days of:

(i) Termination of employment in such exempt position, or

(ii) Termination of employment in any other exempt position in which the employee subsequently served provided there was no break in his/her service with the state of more than 30 calendar days.

(2) When a classified employee holds a position in the classified service which is exempted, the following provisions shall apply at the time of the exemption:

(a) If the employee is appointed to the exempted position or to another exempt position, the employee shall have the right to return to the classified service as specified in subsection (1) of this section.

(b) If the employee is not appointed to the exempted position or to another exempt position but has previously held permanent status in another classified position, the employee shall have the right to return to the highest class of position previously held, or to a position of similar nature and salary.

(3) Employees exercising return rights within the time specified, as provided in subsection (1) of this section, shall return:

(a) At the time of separation or application, whichever is later.

(b) To a salary not less than the salary they left, adjusted according to salary changes made in the interim.

(c) With the same status they last held at the time they left the classified service.

(d) With their seniority credited with the full time of their absence from the classified service and with no break in service.

(4) Present or past employees of the exempt service who have not previously left the classified service specifically to take an exempt position shall not be entitled to move back into the classified service under the provisions of this section or WAC 356-30-330.

(5) Employees may replace incumbents currently in the positions to which they are returning. The replaced

incumbents are entitled to the rights and options of the reduction in force procedures of their agency.

Employees in the classified service whose positions have been exempted from the civil service law in accordance with RCW 41.06.070 (24), (25), or ((26)) (28) and have not previously held other classified positions may return to the classified service in any vacant positions in their respective departments provided the employees:

(a) Meet the minimum qualifications;

(b) Have greater seniority than other employees who would be offered the vacancy(ies) as a reduction in force option or certifications from the reduction in force register.

AMENDATORY SECTION (Amending Order 287, filed 11/24/87, effective 1/1/88)

WAC 356-06-020 EXEMPTIONS—EXCEPTIONS. With the exceptions noted in subsection ((20)) (19) of this section the provisions of these rules do not apply to:

(1) Members of the legislature or to any employee of, or position in, the legislative branch of the state government including members, officers and employees of the legislative council, legislative budget committee, statute law committee, and any interim committee of the legislature.

(2) Judges of the supreme court, of the superior courts or of the inferior courts or to any employee of, or position in the judicial branch of, state government.

(3) Officers, academic personnel and employees of state institutions of higher education, the state board for community college education, and the higher education personnel board.

(4) Employees of the state printing office.

(5) The officers of the Washington state patrol.

(6) Elective officers of the state.

(7) The chief executive officer of each agency.

(8) In the departments of employment security and fisheries, the director and the director's confidential secretary.

(9) In the department of social and health services, the secretary, the secretary's executive assistant, if any; not to exceed six assistant secretaries, thirteen division directors, six regional directors and one confidential secretary for each of the above named officers; not to exceed six bureau directors and all superintendents of institutions of which the average daily population equals or exceeds one hundred residents: PROVIDED, That each such confidential secretary must meet the minimum qualifications for the class of secretary 2 as determined by the state personnel board.

(10) In all departments except those mentioned in subsection (8) above, the executive head of which is appointed by the governor, the director, the director's confidential secretary, and the statutory assistant directors.

(11) In the case of a multimember board, commission or committee, whether the members thereof are elected, appointed by the governor or other authority, serve ex officio, or otherwise chosen.

(a) All members of such boards, commissions or committees.

(b) If the members of the board, commission or committee serve on a part-time basis and there is a statutory executive officer:

(i) The secretary of the board, commission or committee.

(ii) The chief executive officer of the board, commission or committee.

(iii) The confidential secretary of the chief executive officer of the board, commission or committee.

(c) If the members of the board, commission or committee serve on a full-time basis:

(i) The chief executive officer or administrative officer as designated by the board, commission or committee.

(ii) The confidential secretary to the chairman of the board, commission or committee.

(d) If all members of the board, commission or committee serve ex officio:

(i) The chief executive officer.

(ii) The confidential secretary of such chief executive officer.

(12) The confidential secretaries and administrative assistants in the immediate offices of the elective officers of the state.

(13) Assistant attorneys general.

(14) Commissioned and enlisted personnel in the military service of the state.

(15) Resident, student, part-time or temporary employees, and part-time professional consultants as defined by the state personnel board to include:

(a) State and local officials serving ex officio and performing incidental administrative duties in the programs of the agency.

(b) Part-time local health officers.

(c) Persons employed on a part-time, or temporary basis for medical, nursing or other professional service and who are not engaged in the performance of administrative duties.

(d) Part-time or temporary employees who are enrolled as full-time students in recognized educational institutions and whose employment is largely to provide training opportunity, and all temporary employees not in federal grant-in-aid programs.

(e) Patient and resident help in the covered institutions.

(f) Skilled and unskilled labor employed temporarily on force account; construction and maintenance projects; or employed on temporary seasonal single phases of agricultural production or harvesting; or as determined by the director of personnel to be equivalent.

(g) Washington state patrol trooper cadets in training for commissioning as troopers in the Washington state patrol.

(16) All officers and employees in those commissions made exempt by legislative action, namely:

(a) Washington state fruit commission.

(b) Washington state apple commission.

(c) Washington state dairy products commission.

(d) Washington state wheat commission.

(e) Officers and employees of any commission formed under the provisions of chapter 15.66 RCW.

(f) Agricultural commissions formed under the provisions of chapter 15.65 RCW.

~~(17) ((One deputy executive secretary of the Washington centennial commission:~~

~~(18))~~ Up to a total of five senior staff positions of the Western library network under chapter 27.26 RCW responsible for formulating policy or for directing program management of a major administrative unit.

~~((19))~~ (18) In the department of information services, up to twelve positions in the planning component involved in policy development and/or senior professionals.

~~((20))~~ (19) Up to five employees of the Washington basic health plan.

~~((21))~~ (20) Liquor vendors appointed by the Washington state liquor control board pursuant to RCW 66.08.050: PROVIDED, HOWEVER, That rules and regulations adopted by the state personnel board pursuant to RCW 41.06.150 regarding the basis for, and procedures to be followed for, the dismissal, suspension or demotion of an employee, and appeals therefrom shall be fully applicable to liquor vendors except those part-time agency vendors employed by the liquor control board, when, in addition to the sale of liquor for the state, they sell goods, wares, merchandise or services as a self-sustaining private retail business.

~~((22))~~ (21) Executive assistants, for personnel administration and labor relations in all state agencies employing such executive assistants including but not limited to all departments, offices, commissions, committees, boards, or other bodies subject to the provisions of this chapter and this subsection shall prevail over any provision of law inconsistent herewith unless specific exception is made in such law.

(22) In each agency with fifty or more employees: Deputy agency heads, assistant directors or division directors, and not more than three principal policy assistants who report directly to the agency head or deputy agency head.

(23) In addition to the exemptions specifically provided by this chapter, the state personnel board may provide for further exemptions pursuant to the following procedures. The governor or other appropriate elected official may submit requests for exemption to the personnel board stating the reasons for requesting such exemptions. The personnel board shall hold a public hearing after proper notice, on requests submitted pursuant to this subsection. If the personnel board determines that the position for which exempting is requested is one involving substantial responsibility for the formulation of basic agency or executive policy or one involving directing and controlling program operations of an agency or a major administrative division thereof, the personnel board shall grant the request and such determination shall be final. The total number of additional exemptions permitted under this subsection shall not exceed one hundred eighty-seven for those agencies not directly under the authority of any elected public official other than the governor, and shall not exceed a total of twenty-five for all agencies under the authority of elected public officials other than the governor. The state personnel board shall report to each regular session of the legislature all exemptions granted ~~((pursuant to the provisions of))~~ under this subsection and subsections (21) and (22)

of this section, together with the reasons for such exemptions.

(24) While other provisions of these rules do not apply, the personnel board shall determine salaries and fringe benefits of incumbents in all exempt positions in agencies with positions under the jurisdiction of the personnel board, other than positions listed under subsections (5) through (8), (11)(a) and (b), (12) through (16), and ~~((21))~~ (20) of this section.

WSR 90-12-028
PERMANENT RULES
DEPARTMENT OF PERSONNEL
(Personnel Board)

[Order 354—Filed May 30, 1990, 2:47 p.m., effective July 1, 1990]

Date of Adoption: May 10, 1990.

Purpose: This rule provides guidelines for each agency to maintain personnel records for each employee.

Citation of Existing Rules Affected by this Order: Amending WAC 356-46-060 Agencies—Personnel records.

Statutory Authority for Adoption: RCW 41.06.040 and 41.06.150.

Pursuant to notice filed as WSR 90-07-052 on March 20, 1990.

Effective Date of Rule: July 1, 1990.

May 14, 1990
Dee W. Henderson
Secretary

AMENDATORY SECTION (Amending Order 209, filed 8/10/84)

WAC 356-46-060 AGENCIES—PERSONNEL AND PAYROLL RECORDS. (1) Each agency shall maintain a record of each employee showing the name, title, position held, organizational assignment, salary, changes of employment status, attendance, leaves, annual performance evaluations, and such other information as may be necessary for the administration of regulations. Personnel and payroll records shall be open to the inspection of the personnel board, state auditor, and the director of personnel or designee ~~((and, depending on the functional requirement of the content of each individual record,)).~~ The original personnel and payroll file shall accompany the employee throughout his/her service career including inter-system movement.

(2) Agencies shall publish policies pertaining to the retention and confidentiality of personnel records in accordance with these rules and chapter 40.14 RCW which are consistent with the following requirements:

(a) Agencies shall designate the official depository and custodian of personnel records.

(b) Agencies shall ensure that employees have knowledge of all job performance information inserted into the personnel record pertaining to the employee.

(c) Employees and/or their representatives may review the employee's personnel records, subject to policies of the employing agency.

(d) Employees or their representatives contesting allegedly erroneous, prejudicial, or otherwise adverse information in the employee's personnel records may insert rebuttal or refuting documentation into their personnel records.

(e) Information in the personnel records relating to employee misconduct shall be destroyed in accordance with policies established in chapter 40.14 RCW in situations where the employee is exonerated or where the information is found to be false. The agency's record retention plan shall provide for the prompt destruction of this information.

(f) Information relating to employee misconduct committed in the performance of off-duty activities shall be placed in the personnel records and retained by the agency in accordance with policies established in chapter 40.14 RCW, only where said information has a reasonable bearing on the employee's job performance. Employees may request that such information be removed from their personnel record at the conclusion of the retention period. The information may be retained by the agency if it has a reasonable bearing on the efficient and effective management of the agency.

(g) Information relating to employee misconduct that is committed in the performance of state business shall be maintained by the agency for a minimum of six years or in accordance with policies established in chapter 40.14 RCW. Employees may request that such information be removed from their personnel record at the conclusion of the retention period. The information may be retained by the agency if it has a reasonable bearing on the efficient and effective management of the agency.

(h) Notwithstanding paragraphs (e), (f) and (g) of this section, agencies may retain information relating to employee misconduct or alleged misconduct if the employee requests that the information be retained or if agency management reasonably expects that the information will be needed in a pending or prospective legal action.

(3) The agency shall submit its policy relating to the retention and confidentiality of personnel records to the director of personnel for approval and filing.

Reviser's note: The unnecessary underscoring in the above caption occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

WSR 90-12-029
PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
 [Filed May 30, 1990, 3:45 p.m.]

Original Notice.

Title of Rule: WAC 392-136-025 Conversion of sick leave upon retirement or death for postretirement medical benefits.

Purpose: To implement RCW 28A.58.096 and 28A.21.360 which provide for compensating school district and educational service district employees for accumulated sick leave.

Statutory Authority for Adoption: RCW 28A.21.360 and 28A.58.096.

Statute Being Implemented: RCW 28A.58.096 and 28A.21.360.

Summary: See Purpose above.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting: Richard M. Wilson, Superintendent of Public Instruction, Old Capitol Building, (206) 753-2298; Implementation: Bob Schley, Superintendent of Public Instruction, Old Capitol Building, (206) 753-1717; and Enforcement: David Moberly, Superintendent of Public Instruction, Old Capitol Building, (206) 753-6742.

Name of Proponent: Superintendent of Public Instruction, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: See Purpose above.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Brouillet Conference Room, Superintendent of Public Instruction, Old Capitol Building, Olympia, Washington 98504, on July 13, 1990, at 9:00 a.m.

Submit Written Comments to: Richard M. Wilson, Superintendent of Public Instruction, Legal Services, Olympia, Washington 98504, by July 10, 1990.

Date of Intended Adoption: July 18, 1990.

May 30, 1990
 Judith A. Billings
 Superintendent of
 Public Instruction

NEW SECTION

WAC 392-136-025 CONVERSION OF SICK LEAVE UPON RETIREMENT OR DEATH FOR POSTRETIREMENT MEDICAL BENEFITS. School districts and educational service districts may, in lieu of monetary compensation, as provided for in WAC 392-136-020, make payment to an organization for postretirement medical benefits when each of the following conditions have been met:

(1) The organization is authorized under law to engage in the receipt and management of moneys for postretirement medical benefits; and

(2) The organization and the employee have furnished a signed statement holding the school district or educational service district harmless for any loss, liability, or damages that may occur arising from making the payment to the organization for postretirement medical benefits.

Moneys paid under this section for postretirement medical benefits shall not be included for the purpose of computing a retirement allowance under any public retirement system in this state.

WSR 90-12-030
NOTICE OF PUBLIC MEETINGS
WASHINGTON INSTITUTE
OF APPLIED TECHNOLOGY
 [Memorandum—May 30, 1990]

BOARD OF DIRECTORS MEETING
 Wednesday, May 30, 1990
 7:30 a.m.

WIAT Sixth Floor Boardroom

Next meeting: The next regularly scheduled meeting of the board of directors is Wednesday, July 25, 1990, at 7:30 a.m. in the WIAT Boardroom.

WSR 90-12-031

ATTORNEY GENERAL OPINION

Cite as: AGO 1990 No. 4

[May 24, 1990]

SHERIFF—LAW ENFORCEMENT—CITIES AND TOWNS—
CONTRACTS—INTERLOCAL COOPERATION ACT—
COUNTIES

1. The county sheriff's duty to enforce state law applies equally in incorporated and unincorporated areas of the county.
2. If a city is unable to provide for adequate police protection, the county sheriff must take this factor into account in allocating the resources of the sheriff's office. However, the statutes do not obligate the sheriff to provide a city with a specific number of police officers or a specific level of police services.
3. If a city wants to obtain a specific number of county police officers or level of police services, the Interlocal Cooperation Act empowers the city to contract with the county to provide those services.

Requested by:

Honorable Scott Barr
State Senator, Seventh District
Institutions Building
Olympia, WA 98504

WSR 90-12-032

NOTICE OF PUBLIC MEETINGS
WASHINGTON STATE LIBRARY
(Library Commission)

[Memorandum—May 24, 1990]

Friday, June 1, 1990, a special meeting of the Washington State Library Commission will be held at the Wyndham Garden Hotel, Salon E, 18118 Pacific Highway South, Seattle, WA, beginning at 1:30 p.m.

WSR 90-12-033

NOTICE OF PUBLIC MEETINGS
HUMAN RIGHTS COMMISSION

[Memorandum—May 25, 1990]

This is to advise you that the Washington State Human Rights Commission will hold a special commission meeting, executive session only, to discuss the selection of an executive director on June 1, 1990. The meeting will be held by telephone conference call at 1:30 p.m. The call will originate at the office of the Human Rights Commission, 402 Evergreen Plaza Building, 711 South Capitol Way, Olympia, (206) 753-4876.

WSR 90-12-034

PERMANENT RULES

UNIVERSITY OF WASHINGTON

[Filed May 30, 1990, 4:04 p.m., effective September 1, 1990]

Date of Adoption: May 18, 1990.

Purpose: Change in existing WAC to add smoking restrictions in Husky Stadium.

Citation of Existing Rules Affected by this Order: Amending WAC 478-136-030.

Statutory Authority for Adoption: Chapter 34.05 RCW.

Pursuant to notice filed as WSR 90-08-030 on March 30, 1990.

Effective Date of Rule: September 1, 1990.

May 21, 1990

Melody Tereski

Administrative Procedures Officer

AMENDATORY SECTION (Amending Order 88-05, filed 9/14/88)

WAC 478-136-030 LIMITATIONS ON USE. (1) University facilities may not be used in ways which obstruct or disrupt university operations, the freedom of movement, or any other lawful activities.

(2) Faculty, staff, registered or official student organizations may use university facilities to present educational forums regarding ballot propositions and/or candidates who have filed for public office as long as the audience is limited to university faculty, staff and students. However, state law (RCW 42.17.130) prohibits "the use of any of the facilities of a public office or agency, directly or indirectly, for the purpose of assisting a campaign for election of any person to any office or for the promotion of or opposition to any ballot proposition."

(3) University facilities may not be used for private or commercial purposes such as sales, advertising, or promotional activities unless such activities serve an educational purpose, as determined by the committee on the use of university facilities.

(4) The distribution of handbills, pamphlets and similar materials is not permitted in those areas of campus to which access by the public is restricted or where such distribution would significantly impinge upon the primary business being carried on. Handbills and similar printed materials may not be left in the Daily distribution boxes or left for distribution anywhere else on campus.

(5) Charitable solicitation is not permitted in those areas of the campus to which access by the public is restricted or where such solicitation would significantly impinge upon the primary business being carried on.

(6) Electronic amplification on the grounds of the campus is prohibited with the following exceptions:

(a) The lawn area immediately west of the student union building will be available for open-air speaking events using directional and volume-controlled speech amplification equipment provided by the university. Use of the student union building lawn site will be available to registered or official student organizations and faculty or staff groups on a first-come, first-served basis. The

amplification system will be issued upon presentation of a currently valid student, faculty or staff identification card at the Student Union Reservation Office, 104C Student Union Building.

(b) The committee on the use of university facilities may grant permission, under special circumstances, for the use of other amplification equipment on the lawn site west of the student union building or in other outdoor locations. Permission should be requested through the Secretary to the Committee, 400 Administration Building (AI-10), 543-2560, sufficiently in advance of the program to allow timely consideration.

(7)(a) The parking garages on the campus of the University of Washington are open to the public for the limited purpose of parking motor vehicles. Sleeping, or remaining in the parking garages for purposes unrelated to vehicular parking is prohibited. Violators are subject to arrest and criminal prosecution under applicable statutes including RCW 9A.52.080, 9.66.030, and 7.48.220.

(b) The term "parking garages" as used in (a) of this subsection shall mean the sheltered parking areas on the University of Washington campus, and the stairwells and entrances of those covered parking areas.

(8) Within the limits of applicable laws, the University of Washington is committed to establishing and maintaining safe conditions for persons attending football games in Husky Stadium or other athletic events or concerts in campus facilities. Accordingly, the rules enumerated below will apply to all such events and be strictly enforced.

(a) The possession or consumption of alcoholic beverages or illegal drugs is prohibited. In addition to having the beverages or drugs confiscated, violators may be subject to university disciplinary action and/or legal proceedings, and removal from the events.

(b) Air horns, glass bottles, cans, picnic baskets, bota bags, ice chests, and thermoses (in excess of two quart capacity) are prohibited. Individuals possessing such will not be admitted to, or will be removed from, Husky Stadium or other athletic or concert facilities until the items have been stored temporarily at locations provided for that purpose or disposed of in some other manner.

(c) Smoking of tobacco in any form is prohibited in the seating areas of Husky Stadium. Smoking is permitted on the pedestrian concourses.

WSR 90-12-035

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 90-43—Filed May 30, 1990, 4:07 p.m.]

Date of Adoption: May 30, 1990.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order:
Amending WAC 220-57-515.

Statutory Authority for Adoption: RCW 75.08.080.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the

public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The spring chinook return to the Carson Hatchery is greater than anticipated and as a result, fish are available for harvest.

Effective Date of Rule: June 1, 1990.

May 30, 1990
Judith Merchant
Deputy Director
for Joseph R. Blum
Director

NEW SECTION

WAC 220-57-51500F WIND RIVER. Notwithstanding the provisions of WAC 220-57-515, effective June 1 through June 30, 1990, two fish daily bag limit in those areas 100 feet above Shipperd Falls to the WDF boundary marker 800 yards below the Carson Hatchery and downstream from markers 400 feet below Shipperd Falls to markers at the outer land points downstream from the Burlington Northern Railroad Bridge at the mouth of the Wind River.

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

WSR 90-12-036

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 90-44—Filed May 30, 1990, 4:10 p.m.]

Date of Adoption: May 30, 1990.

Purpose: Commercial fishing rules.

Citation of Existing Rules Affected by this Order:
Repealing WAC 220-24-02000P.

Statutory Authority for Adoption: RCW 75.08.080.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: A harvestable quota of chinook salmon is available for troll fishermen. Based upon landing information approximately 2,800 chinook salmon are available for harvest from the original quota of 26,100. This regulation is adopted at the recommendation of the Pacific Fisheries Management Council, and is consistent with federal regulations.

Effective Date of Rule: 12:01 a.m., May 31, 1990.

May 30, 1990
Judith Merchant
Deputy Director
for Joseph R. Blum
Director

NEW SECTION

WAC 220-24-02000Q LAWFUL ACTS—TROLL FISHERY. Notwithstanding the provisions of WAC 220-24-010, WAC 220-24-020 and WAC 220-24-030, effective immediately it is unlawful to fish for or possess salmon taken for commercial purposes with troll gear in the waters west of the Bonilla-Tatoosh Line, the Pacific Ocean north of Cape Falcon and south of the U.S.-Canada border, or waters west of a line drawn true north-south through Buoy 10 at the mouth of the Columbia River except as provided for in this section:

(1) Effective 12:01 AM May 31, 1990 it is lawful to fish for and possess all salmon species other than coho salmon taken from the above waters except for those waters of a conservation zone at the mouth of the Columbia River bounded by a line projected six miles due west from North Head along 46 18'00" north latitude to 124 13'18" west longitude, thence southerly along a line 167 true to 46 11'06" north latitude, 124 11'00" west longitude (the Columbia River Buoy), thence northeasterly along the Red Buoy Line to the tip of the south jetty from which conservation zone no salmon may be taken.

(2) The above open area will close at 11:59 PM June 2, 1990. All fish must be landed, sold, and recorded on a Washington State Fish Receiving Ticket by 11:59 PM, June 4, 1990.

(3) Lawful terminal gear is restricted to single point, single shank barbless hooks.

(4) No chinook salmon less than 28 inches in total length or 21.5 inches head-off length may be retained.

(5) It is unlawful to fish for or possess salmon taken for commercial purposes with any gear other than troll gear in the open fishery area.

(6) It is unlawful to transport through Coastal Salmon Management and Catch Reporting Areas 1, 2, 3, or 4 or land in the State of Washington any salmon taken for commercial purposes contrary to the provisions of Chapter 220-33 WAC or Chapter 220-47 WAC relative to seasons and species provided for in this section.

REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 AM May 31, 1990:

WAC 220-24-02000P LAWFUL ACTS - TROLL FISHERY

**WSR 90-12-037
PERMANENT RULES
HEALTH CARE AUTHORITY
[Filed May 31, 1990, 11:24 a.m.]**

Date of Adoption: March 28, 1990.

Purpose: To make SEBB eligibility rules more consistent with insurance industry practice.

Citation of Existing Rules Affected by this Order: Amending WAC 182-12-115.

Statutory Authority for Adoption: RCW 41.05.065(3).

Pursuant to notice filed as WSR 90-04-087 on February 7, 1990.

Changes Other than Editing from Proposed to Adopted Version: The proposed restriction to "unmarried children" was not adopted because the extension of eligibility to this group represents minimal cost to the state; the provisions regarding foster children were moved to subsection (8)(b) and the criterion in subsection (8)(b)(iii) was reworded to express more clearly the board's intent; the proposed change to reporting requirements for disabled or handicapped dependents was not adopted because the current requirements were found to be satisfactory on the basis of further staff review; and the proposed elimination of eligibility of dependent parents of state employees and retirees was adopted, but with a modification that will allow continued eligibility of those approved prior to July 1, 1990. The board felt that removing this eligible group without a "grandfather" provision would cause hardship for those who would be required to find alternative insurance coverage.

Effective Date of Rule: Thirty days after filing.

May 9, 1990
Robert Moore
Assistant Administrator

AMENDATORY SECTION (Amending Resolution No. 89-2, filed 6/2/89)

WAC 182-12-115 ELIGIBLE EMPLOYEES, RETIREES, AND DEPENDENTS. The following definitions of eligible employees, retirees, and dependents of an eligible entity, as defined in WAC 182-12-111, shall apply for all SEBB approved plans except as otherwise stated in this chapter:

(1) "Permanent employees." Those who are scheduled to work at least half-time per month and are expected to be employed for more than six months. Such employees shall be eligible effective with their first day of employment.

(2) "Nonpermanent employees." Those who are scheduled to work at least half-time and are expected to be employed for no more than six months. Such employees shall be eligible effective the first day of the seventh calendar month of employment.

(3) "Seasonal employees." Those who work at least half-time per month during a designated season for a minimum of three months but less than nine months per year and who have an understanding of continued employment with their agency season after season. These employees become eligible on the first day of such employment, however, they are not eligible for the employer contribution during the break between seasons of employment.

(4) "Part-time faculty." Faculty who are employed on a quarter/semester to quarter/semester basis become eligible beginning with the second consecutive quarter/semester of half-time or more employment at one or more state institutions of higher education, provided that:

(a) For determining eligibility, spring and fall may be considered consecutive quarters/semesters; and

(b) "Half-time or more employment" will be determined based on each institution's definition of "full-time"; and

(c) At the beginning of each quarter/semester, the employers of part-time faculty shall notify, in writing, all current and newly hired part-time faculty of their potential right to benefits under this section. The employee shall have the responsibility, each quarter, to notify the employers, in writing, of the employee's multiple employment. In no case will there be a requirement for retroactive coverage or employer contribution if a part-time faculty member fails to inform all of his/her employing institutions about employment at all institutions within the current quarter; and

(d) Where concurrent employment at more than one state higher education institution is used to determine total part-time faculty employment of half-time or more, the employing institutions will arrange to prorate the cost of the employer insurance contribution based on the employment at each institution. However, if the part-time faculty member would be eligible by virtue of employment at one institution, that institution will pay the entire cost of the employer contribution regardless of other higher education employment. In cases where the cost of the contribution is prorated between institutions, one institution will forward the entire contribution monthly to SEBB; and

(e) Once enrolled, if a part-time faculty member does not work at least a total of half-time in one or more state institutions of higher education, eligibility for the employer contribution ceases.

(5) "Appointed and elected officials." Legislators are eligible on the date their term begins. All other elected and full-time appointed officials of the legislative and executive branches of state government are eligible on the date their term begins or they take the oath of office, whichever occurs first.

(6) "Judges." Justices of the supreme court and judges of the court of appeals and the superior courts become eligible on the date they take the oath of office.

(7) "Retirees and disabled employees." Eligible employees who terminate state service after becoming vested in a Washington state sponsored retirement system are eligible for retiree medical, dental and life coverages provided the person:

(a) Immediately begins receiving a monthly retirement income benefit from such retirement system; or

(b) If not retiring under the public employees retirement system (PERS), would have been eligible for a monthly retirement income benefit because of age and years of service had the person been employed under the provisions of PERS I or PERS II for the same period of employment; or

(c) Must take a lump sum benefit because their monthly benefit would have been under fifty dollars.

Employees who are permanently and totally disabled and eligible for a deferred monthly retirement income benefit are likewise eligible, provided they apply for retiree coverage before their SEBB active employee coverage ends. Persons retiring who do not have waiver of premium coverage from any SEBB life insurance plan are eligible for retiree life insurance, subject to the same

qualifications as for retiree medical coverage. Retirees and disabled employees are not eligible for an employer premium contribution. The Federal Civil Service Retirement System shall be considered a Washington state sponsored retirement system for Washington State University cooperative extension service employees who hold a federal civil service appointment and who are covered under the SEBB program at the time of retirement or disability.

(8) "Eligible dependents." The following are eligible as dependents under the medical and dental plans:

(a) Lawful spouse.

(b) Dependent children through age twenty. As used in this section, "children" includes natural children, stepchildren, legally adopted children, married children who qualify as dependents of the employee/retiree under the Internal Revenue Code, and foster children approved by the health care authority. To qualify for HCA approval, a foster child must:

(i) Be living with the subscriber in a parent-child relationship;

(ii) Be dependent upon the subscriber for financial support;

(iii) Not be eligible for coverage under Medicare, Medicaid, or similar government entitlement programs; and

(iv) Not be a foster child for whom support payments are made to the subscriber through the state department of social and health services (DSHS) foster care program.

(c) Dependent children age twenty-one through age twenty-four who are dependent upon the employee/retiree for maintenance and support, and who are registered students in full-time attendance at an accredited secondary school, college, university, vocational school, or school of nursing. Dependent student eligibility continues year-round for those who attend three of the four school quarters and for the quarter following graduation provided the employee/retiree is covered at the same time, provided that the dependent limiting age has not been exceeded.

(d) Dependent children of any age who are incapable of self-support due to developmental disability or physical handicap ((are also eligible)), provided such condition occurs prior to age twenty-one or during the time the dependent was covered under an SEBB plan as a full-time student. Proof of such disability and dependency must be furnished prior to the dependent's attainment of age twenty-one or loss of eligibility for student coverage, and as periodically requested thereafter.

(e) ("Children" includes natural children, stepchildren, adopted children, and approved foster children. A foster child must be under age twenty-one at the time of approval. "Children" also includes married children if dependent upon the employee/retiree within the meaning of the Internal Revenue Code.

(f)) "Dependent parents." Parents of the employee/retiree or their spouse ((are eligible subject to Internal Revenue Code dependency status and qualification. Eligibility is subject to making application to the health care authority and verification)) who qualify as dependents under the Internal Revenue Code and who were

covered as dependents under SEBB medical/dental plans prior to July 1, 1990, provided that the employee/retiree is covered at the same time.

(9) Notwithstanding any of the foregoing, employees who are not mandatorily, by election, or otherwise covered by industrial insurance under Title 51 RCW shall not be considered "eligible employees" within the meaning of this section.

WSR 90-12-038
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Filed May 31, 1990, 11:57 a.m.]

Continuance of WSR 90-09-054.
Title of Rule: Chapter 388-24 WAC, Aid to families with dependent children—Eligibility.
Date of Intended Adoption: June 14, 1990.

May 31, 1990
Leslie F. James, Director
Administrative Services

WSR 90-12-039
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Filed May 31, 1990, 11:58 a.m.]

Continuance of WSR 90-09-079.
Title of Rule: WAC 388-24-050 Aid to families with dependent children—Assistance unit.
Date of Intended Adoption: June 14, 1990.

May 31, 1990
Leslie F. James, Director
Administrative Services

WSR 90-12-040
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Filed May 31, 1990, 11:59 a.m.]

Continuance of WSR 90-09-087.
Title of Rule: WAC 388-86-085 Transportation (other than ambulance).
Date of Intended Adoption: June 29, 1990.

May 31, 1990
Leslie F. James, Director
Administrative Services

WSR 90-12-041
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Filed May 31, 1990, 12:00 p.m.]

Continuance of WSR 90-09-095.
Title of Rule: Chapter 388-08 WAC.
Date of Intended Adoption: June 8, 1990.

May 31, 1990
Leslie F. James, Director
Administrative Services

WSR 90-12-042
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Order 2984—Filed May 31, 1990, 12:01 p.m.]

Date of Adoption: May 31, 1990.
Purpose: To limit the exemption of gifts under the family independence program.

Citation of Existing Rules Affected by this Order: Amending WAC 388-77-515 Income—Exempt.

Statutory Authority for Adoption: Chapter 74.21 RCW.

Pursuant to notice filed as WSR 90-09-084 on April 18, 1990.

Effective Date of Rule: Thirty-one days after filing.

May 31, 1990
Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 2630, filed 6/1/88)

WAC 388-77-515 INCOME—EXEMPT. In addition to income exempted under the AFDC program in chapter 388-28 WAC, the department shall exempt the following income from FIP:

- (1) Higher education benefits;
- (2) Earned income tax credit (EIC);
- (3) The earnings of a child under eighteen years of age;
- (4) Retroactive FIP benefits;
- (5) Income tax refunds;
- (6) Loans, if there is a written agreement to repay;
- (7) Income in-kind; and
- (8) Gifts as follows:
 - (a) Small nonrecurring gifts, not to exceed thirty dollars per recipient in any quarter;
 - (b) Gifts to cover the costs of tuition, books, or fees;
 - or
 - (c) Gifts to cover medical expenses for procedures used to eliminate barriers to employment.

WSR 90-12-043
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 2985—Filed May 31, 1990, 12:02 p.m.]

Date of Adoption: May 31, 1990.

Purpose: To incorporate in the rules the provisions of the law that increases the income level for children 1-6 years of age to raise the income level for children to the 1990 federal poverty level.

Citation of Existing Rules Affected by this Order: Amending WAC 388-83-033 Needy children one year of age to eight years of age.

Statutory Authority for Adoption: RCW 74.08.090.

Pursuant to notice filed as WSR 90-08-047 on March 30, 1990.

Effective Date of Rule: Thirty-one days after filing.

May 31, 1990

Leslie F. James, Director
 Administrative Services

AMENDATORY SECTION (Amending Order 2884, filed 10/27/89, effective 11/27/89)

WAC 388-83-033 **NEEDY CHILDREN—((UN-
 DER)) ONE YEAR OF AGE TO EIGHT YEARS OF AGE.** (1) The department shall find ((children)) a child under eight years of age, born after September 30, 1983, eligible for Medicaid as categorically needy if the ((children)) child meets:

(a) The income requirements ((of)) corresponding to the age requirements as listed in this section; and

(b) Citizenship, Social Security Number, and residence under chapter 388-83 WAC.

(2) Income eligibility:

(a) For the child attaining six years of age but has not attained eight years of age, the total family income shall not exceed one hundred percent of the poverty income guidelines as published and updated by the secretary of health and human services. One hundred percent of the ((+988)) 1990 poverty income guidelines is:

FAMILY SIZE MONTHLY

(i)	One	\$	((498.00))	523
(ii)	Two	\$	((668.00))	702
(iii)	Three	\$	((838.00))	880
(iv)	Four	\$	((1,008.00))	1,058
(v)	Five	\$	((1,178.00))	1,237
(vi)	Six	\$	((1,348.00))	1,415
(vii)	Seven	\$	((1,518.00))	1,593
(viii)	Eight	\$	((1,688.00))	1,772

(ix) For family units with more than eight members, add \$((+70)) 178 to the monthly income for each additional member.

(b) Effective April 1, 1990, for the child attaining one year of age but has not attained six years of age, the total family income shall not exceed one hundred thirty-three percent of the federal poverty income guidelines as published and updated by the secretary of health and

human services. One hundred thirty-three percent of the 1990 federal poverty income guidelines is:

FAMILY SIZE MONTHLY

(i)	One	\$	696
(ii)	Two	\$	933
(iii)	Three	\$	1,170
(iv)	Four	\$	1,408
(v)	Five	\$	1,645
(vi)	Six	\$	1,882
(vii)	Seven	\$	2,119
(viii)	Eight	\$	2,356

(ix) For family units with more than eight members, add \$237 to the monthly income for each additional member.

(c) The department shall determine family income:

(i) According to AFDC methodology; and

(ii) Applying the special situations under WAC 388-83-130 ((+5)) (3) and ((+6)) (4).

(3) The department shall not consider resources in determining eligibility of ((children)) a child included in this section.

(4) A child ((who becomes)) attaining eight years of age shall be eligible under subsection (2)(a) of this section until the later of the end of the month:

(a) ((The end of the month)) Of the child's eighth birthday; or

(b) ((The end of the month)) In which the child receives inpatient services if:

(i) The child is receiving inpatient services on the last day of the month in which the child becomes eight years of age; and

(ii) The stay for inpatient services continues into the following months; and

(iii) Who, but for becoming such age, ((would be)) is eligible for assistance under this section.

(5) A child attaining six years of age shall be eligible under subsection (2)(b) of this section until the later of the end of the month:

(a) Of the child's sixth birthday; or

(b) In which the child receives inpatient services if:

(i) The child is receiving inpatient services on the last day of the month in which the child attains six years of age;

(ii) The stay for inpatient services continues into the following months; and

(iii) Who, but for attaining such age, is eligible for assistance under this section.

WSR 90-12-044

PERMANENT RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Public Assistance)

[Order 2986—Filed May 31, 1990, 12:05 p.m.]

Date of Adoption: May 31, 1990.

Purpose: To clarify the wording which medical programs must be considered before terminating cash or medical assistance. Add cross references to the WAC on

medical extensions. Correct the wording when medical assistance ends for pregnant women.

Citation of Existing Rules Affected by this Order:
Amending WAC 388-85-105 Certification of eligibility.

Statutory Authority for Adoption: RCW 74.08.090.

Pursuant to notice filed as WSR 90-08-039 on March 30, 1990.

Effective Date of Rule: Thirty-one days after filing.

May 31, 1990

Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 2672, filed 8/17/88)

WAC 388-85-105 CERTIFICATION OF ELIGIBILITY. (1) The department shall continue eligibility for medical assistance until the client is determined ineligible for cash assistance.

~~((+))~~ (2) Before termination of medical assistance, whenever terminating cash assistance or medical assistance, the department shall ((automatically)) redetermine the recipient's eligibility for other medical assistance programs ((prior to termination of medical assistance including Medicaid, the limited casualty program,) or ((medical care services)) the medically indigent program.

(a) ~~((f))~~ When additional information is necessary to redetermine eligibility, the department shall give the client ten days' notice and an opportunity to provide such information.

(b) The department shall give the client advance and adequate notice of the redetermination decision ~~((prior to))~~ before termination of medical assistance((-See)) as described under WAC 388-33-376.

(c) Until the department redetermines a client's eligibility in conformity with the requirements of this section, the client shall remain eligible for categorically needy medical benefits.

~~((2))~~ (3) When eligibility for AFDC cash assistance is terminated:

(a) Due to increased income from or increased hours ~~((from))~~ of employment, medical assistance shall continue for ((four calendar months beginning with month of ineligibility)) the extension periods as described under WAC 388-82-029;

(b) Due to reaching state legal age of majority, the department shall ~~((automatically))~~ redetermine eligibility for medical assistance under another program;

(c) For lack of cooperation in WIN or work registration or for lack of school attendance, which are not eligibility factors for medical assistance, ~~((the))~~ eligibility for medical assistance shall continue;

(d) Due solely to the loss of the thirty dollars plus one-third or the thirty dollar income exemption, medical assistance shall continue for ~~((nine calendar months beginning with the month of ineligibility))~~ the appropriate extension periods as described under WAC 388-82-029; and

(e) Due to the termination of pregnancy, medical assistance shall continue ~~((for two calendar months following the month of pregnancy termination))~~ to the end

of the month containing the sixtieth day from the day pregnancy ends.

~~((3))~~ (4) When eligibility for FIP cash assistance is terminated due to:

(a) ~~((Due to))~~ Increased earnings, medical assistance shall continue for up to twelve calendar months beginning with the month of ineligibility;

(b) ~~((Due to))~~ An increase in hours ((from)) of employment, medical assistance shall continue for ((up to four calendar months beginning with the month of ineligibility)) the appropriate extension periods as described under WAC 388-82-029;

(c) ~~((Due to))~~ Reaching state legal age of majority, the department shall ((automatically)) redetermine eligibility for medical assistance under another program; and

(d) ~~((Due to))~~ Termination of pregnancy, medical assistance shall continue ((for two calendar months following the month of pregnancy termination)) to the end of the month containing the sixtieth day from the day pregnancy ends.

~~((4))~~ (5) The department shall redetermine eligibility for medical assistance the same as for the related cash assistance program, for clients:

(a) ~~((For clients))~~ Under eighteen years of age not related to SSI, eligibility shall be redetermined every six months using AFDC or FIP financial criteria;

(b) ~~((For clients))~~ In medical institutions, eligibility shall be redetermined every twelve months.

~~((5))~~ (6) The client shall report to the CSO, within twenty days, any change in circumstances relating to eligibility.

~~((6))~~ (7) For any change of eligibility, the department shall use the same notification procedures as for cash assistance.

WSR 90-12-045
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 2987—Filed May 31, 1990, 12:06 p.m.]

Date of Adoption: May 31, 1990.

Purpose: To update the qualified federal beneficiary income level to 90% of the 1990 federal poverty level as required by law.

Citation of Existing Rules Affected by this Order:
Amending WAC 388-82-140 Qualified Medicare beneficiaries eligible for Medicare cost sharing.

Statutory Authority for Adoption: RCW 74.08.090.

Pursuant to notice filed as WSR 90-08-045 on March 30, 1990.

Effective Date of Rule: Thirty-one days after filing.

May 31, 1990

Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 2910, filed 12/1/89, effective 1/1/90)

WAC 388-82-140 QUALIFIED MEDICARE BENEFICIARIES ELIGIBLE FOR MEDICARE COST SHARING. The department shall provide Medicare cost sharing under WAC 388-81-060(2) for an individual:

- (1) Meeting the general nonfinancial requirements under chapter 388-83 WAC; and
- (2) Entitled to Medicare hospital insurance benefits, Part A, under Title XVIII of the Social Security Act; and
- (3) Having resources not exceeding twice the maximum supplemental security income (SSI) resource limits under chapter 388-92 WAC; and
- (4) Having a total countable family income, as determined under chapter 388-92 WAC, not exceeding ninety percent of the federal poverty income guidelines as published and updated by the secretary of health and human services. Ninety percent of the ~~((1989))~~ 1990 federal poverty income guidelines is:

	Family Size	Monthly
(a)	One	\$ ((449)) 471
(b)	Two	((602)) 632
(c)	Three	792
(d)	Four	953
(e)	Five	1,113
(f)	Six	1,274
(g)	Seven	1,434
(h)	Eight	1,595

(i) For family units with more than ~~((two))~~ eight members, add \$~~((153.00))~~ 161 to the monthly income for each additional member.

WSR 90-12-046
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 2988—Filed May 31, 1990, 12:07 p.m.]

Date of Adoption: May 31, 1990.

Purpose: To incorporate into the rules the current policy regarding dentures.

Citation of Existing Rules Affected by this Order: Amending WAC 388-86-021 Dentures.

Statutory Authority for Adoption: RCW 74.08.090.

Pursuant to notice filed as WSR 90-08-042 on March 30, 1990.

Effective Date of Rule: Thirty-one days after filing.

May 31, 1990
 Leslie F. James, Director
 Administrative Services

AMENDATORY SECTION (Amending Order 2649, filed 7/8/88)

WAC 388-86-021 DENTURES. (1) The department shall provide ~~((to the extent of these rules)) complete and partial dentures and modification, repair, and adjustment of dentures to recipients of medical assistance and the limited casualty ~~((program that includes only fabrication and fitting. All denture requests require prior approval except for the initial dentures and replacement of dentures more than five years old))~~ programs with the following limitations:~~

- (a) Prior approval is needed for:
 - (i) Replacement dentures or partial dentures less than five years old;
 - (ii) Rebases on dentures and partial dentures; and
 - (iii) Cast base partial dentures.
- (b) The department shall approve only one:
 - (i) Rebasing of dentures or partial dentures:
 - (A) In a five-year period; and
 - (B) The rebased dentures or partial dentures must be at least three years of age or older.
 - (ii) Relining of dentures or partial dentures:
 - (A) In a two-year period; and
 - (B) The relined dentures or partial dentures must be six months of age or older.
- (2) Exceptions to the limitations under subsection (1)(b) of this section shall be granted when medical necessity is documented.

WSR 90-12-047
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 2989—Filed May 31, 1990, 12:08 p.m.]

Date of Adoption: May 31, 1990.

Purpose: To incorporate the changes in Medicare deductible and coinsurance payments as changed by the Catastrophic Repeal Act of 1989.

Citation of Existing Rules Affected by this Order: Amending WAC 388-87-011 Conditions of payment—Medicare deductible and coinsurance—When paid by department; and 388-87-060 Payment—Extended care patient—Coinsurance.

Statutory Authority for Adoption: RCW 74.08.090.

Pursuant to notice filed as WSR 90-08-040 on March 30, 1990.

Effective Date of Rule: Thirty-one days after filing.

May 31, 1990
 Leslie F. James, Director
 Administrative Services

AMENDATORY SECTION (Amending Order 2793, filed 5/4/89)

WAC 388-87-011 CONDITIONS OF PAYMENT—MEDICARE DEDUCTIBLE AND COINSURANCE—WHEN PAID BY DEPARTMENT. (1)

The department shall ~~((be responsible for))~~ pay the deductible and coinsurance amounts for recipients participating in the benefits of Parts A and B of Medicare (Title XVIII of the Social Security Act) when the ~~((following conditions are met))~~:

~~((+))~~ (a) Total combined reimbursement to the provider from Medicare and the department does not exceed the department's fee schedule ~~((, see))~~ as described under WAC 388-87-010; and

(b) Provider accepts assignment for Medicare payment.

(2) When the recipient has Part A of Medicare and has:

(a) Not exhausted lifetime reserve days, the department recognizes the Medicare diagnostic related group (DRG) ~~((shall be recognized))~~ as payment in full, except for deductible and coinsurance amounts; ~~((and))~~ or

(b) Exhausted lifetime reserve days during an inpatient hospital stay, the department recognizes the Medicare DRG as payment in full, except coinsurance and deductible amounts until the Medicaid outlier threshold is reached. After the Medicaid outlier threshold is reached, the department pays an amount based on the policy described in Title XIX state plan.

(3) The ~~((provider accepts assignment for Medicare payment))~~ department shall base its outlier policy on the methodology prescribed in the department's Title XIX state plan, methods, and standards used for establishing payment rates for hospital inpatient services.

(4) The department shall pay for Medicaid covered services when the recipient exhausts Medicare benefits.

AMENDATORY SECTION (Amending Order 2792, filed 5/4/89)

WAC 388-87-060 PAYMENT—EXTENDED CARE PATIENT—COINSURANCE. Effective ~~((January 1, 1989))~~ January 1, 1990, a recipient, entitled to Medicare benefits may be eligible for ~~((up to))~~ a maximum of one hundred ~~((fifty))~~ days of Medicare benefits ~~((in a calendar year for extended care))~~ for the same period of illness in a participating Medicare skilled nursing facility. ~~((See WAC 388-87-011 for payment of the coinsurance))~~ The recipient shall pay the coinsurance from available resources and income, beginning the twenty-first day of the extended care. If the recipient has insufficient resources and income, according to department standards, the department shall pay the coinsurance for the remainder of the one hundred day period or until the recipient is no longer eligible for Medicare skilled nursing home benefits, whichever comes first.

**WSR 90-12-048
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)**

[Order 2990—Filed May 31, 1990, 12:09 p.m.]

Date of Adoption: May 31, 1990.

Purpose: Allows the expenditure of funds collected from civil penalties for: Residential relocation; transportation to review new place of residence and cost of moving personal belongings; cost of reestablishing independent housing; reimburse personal loss; and pay for the cost of maintaining residence until the facility is recertified.

Statutory Authority for Adoption: RCW 18.51.070.

Pursuant to notice filed as WSR 90-08-108 on April 4, 1990.

Changes Other than Editing from Proposed to Adopted Version: Additions to WAC 388-98-810 (excerpts) additions are underlined. Section (1) issue a relocation allowance to the Medicaid-funded nursing home resident who must relocate because the department finds the resident's nursing home deficient to the point decertification occurs. Section (3)(b) nursing home corrects the deficiencies causing the facility's decertification.

Effective Date of Rule: Thirty-one days after filing.

May 31, 1990

Leslie F. James, Director
Administrative Services

NEW SECTION

WAC 388-98-810 CIVIL PENALTY FUND. The department shall use civil penalties, collected under RCW 18.51.060(4)(a) or chapter 74.42 RCW, for the following purposes listed in order of priority:

(1) Issue a relocation allowance to the Medicaid-funded nursing home resident who must relocate because the department finds the resident's nursing home deficient to the point decertification occurs. The department may issue the resident a relocation allowance for the following purposes:

(a) Transportation to review potential relocation sites, including a nursing home, a congregate care facility, an adult family home, or independent housing;

(b) Cost of sending personal belongings to the resident's new location, including a residential setting or the resident's own residence; and

(c) Cost of obtaining or re-establishing independent housing when the resident is able to relocate to the resident's own residence. The department shall issue a relocation allowance if the resident meets the conditions for issuing a nursing home discharge allowance, as described under WAC 388-15-145. If the discharge allowance maximum of four hundred dollars does not sufficiently cover relocation costs, the department shall issue the relocation allowance in addition to the discharge allowance.

(2) Reimburse the Medicaid-funded nursing home resident for personal funds lost due to negligence or malfeasance by nursing home staff where the resident resides. The department shall use the civil penalty fund only if the resident's personal funds cannot be recovered from the nursing home or other responsible party; and

(3) Pay the cost of maintaining the Medicaid-funded nursing home resident in the resident's nursing home which lost its Medicaid certification until the:

(a) Resident is relocated; or

(b) Nursing home corrects the deficiencies causing the facility's decertification; and

(c) Department reinstates the nursing home Medicaid certification.

WSR 90-12-049
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3007—Filed May 31, 1990, 12:10 p.m.]

Date of Adoption: May 31, 1990.

Purpose: The 1990 federal poverty level raises the family maintenance needs.

Citation of Existing Rules Affected by this Order: Amending WAC 388-95-360 Availability of resources; and 388-95-337 Allocation of income—Institutionalized recipient.

Statutory Authority for Adoption: RCW 74.08.090.

Pursuant to notice filed as WSR 90-08-043 on March 30, 1990.

Changes Other than Editing from Proposed to Adopted Version: WAC 388-95-360 (2)(d), the amount a community spouse standard maintenance need if raised to one thousand two hundred fifty-eight dollars. This change was made by a change in the state law. The increase in the amount is to be effective July 1, 1990; and WAC 388-95-360 (2)(h), is changed to show the one hundred eighty dollar allowance for maintenance of the home for a six month-period also applies to a couple. The principal reasons for adopting the changes are as follows: WAC 388-95-360 (2)(d), was made because of the change in state law that increased the amount of the community spouse maintenance standard. This increase is effective July 1, 1990; and WAC 388-95-360 (2)(h), is made to reflect federal regulations.

Effective Date of Rule: Thirty-one days after filing.

May 31, 1990

Leslie F. James, Director
 Administrative Services

AMENDATORY SECTION (Amending Order 2898, filed 11/17/89, effective 12/18/89)

WAC 388-95-337 AVAILABILITY OF RESOURCES.

(1) Resources are defined under WAC 388-92-005 for the SSI-related applicant or recipient and under WAC 388-22-030 for an AFDC-related applicant or recipient.

(2) The methodology and standards for determining and evaluating resources are under WAC 388-95-340, 388-95-380, and 388-95-390. Transfers of resources are evaluated under WAC 388-95-395.

(3) The department shall follow Washington state community property principles in determining the ownership of resources:

(a) For persons whose most recent period of institutionalization:

- (i) Began before October 1, 1989; and
- (ii) Remains continuously institutionalized.

(b) For purposes of Medicaid eligibility, the department shall presume all resources are:

(i) Community resources if jointly held in the names of both the husband and wife, or in the name of the applicant/recipient only;

(ii) The separate property of the nonapplicant spouse if:

(A) Held in the separate name of the nonapplicant spouse; or

(B) Transferred between spouses as described under WAC ((388-92-043(4))) 388-92-043(6).

(c) The department shall divide by two, the total value of the community resources the husband and wife own and assign one-half of the total value to each spouse.

(4) A person is no longer continuously institutionalized if, for thirty consecutive days, the person:

(a) Is absent from an institution; ((and/or)) or

(b) Does not receive COPES/CAP waived services.

(5) The department shall use the following criteria for the purpose of determining Medicaid eligibility of a person, whose most recent continuous period of institutionalization starts on or after October 1, 1989:

(a) The department shall exclude resources in WAC 388-95-380 with the exception of subsection (3) ((of this section)) under WAC 388-95-380. One automobile per couple is totally excluded without regard to use;

(b) The department shall consider available to the community spouse, resources in the names of either the community spouse ((and/or)) or the institutionalized spouse, except resources exceeding the greater of:

(i) Sixty-two thousand five hundred eighty dollars;

(ii) An amount established by a fair hearing under chapter 388-08 WAC if the community spouse's resource allowance is inadequate to provide a minimum monthly maintenance needs allowance; or

(iii) An amount ordered transferred to the community spouse by the court.

(c) The resources available to the community spouse shall be in the name of the community spouse or transferred to the community spouse or to another for sole benefit of the community spouse before the first regularly scheduled eligibility review after the initial eligibility determination is completed; and

(d) The department shall consider resources greater than such resources in subsection (5)(b) of this section available to the institutional spouse.

(6) The department shall consider resources of the community spouse:

(a) Unavailable to the institutionalized spouse during a continuous period of institutionalization; or

(b) When the institutionalized spouse acquires resources in excess of the one-person resource maximum, if the most recent period of institutionalization began after September 30, 1989.

AMENDATORY SECTION (Amending Order 2898, filed 11/17/89, effective 12/18/89)

WAC 388-95-360 ALLOCATION OF INCOME—INSTITUTIONALIZED RECIPIENT. (1) In reducing payment to the institution, the department

shall consider the institutionalized recipient's income under WAC 388-95-335 (3)(a), (b), (c), and (d).

(2) The department shall deduct the following amounts, in the following order, from the institutionalized recipient's total income, including amounts excluded in determining eligibility:

- (a) Specified personal needs allowance;
- (b) An amount an SSI, AFDC₂ or FIP-related client in a medical facility receives as a cash assistance payment sufficient to bring the client's income up to the personal needs allowance;
- (c) The current personal needs allowance plus wages the ~~((supplemental security income))~~ SSI-related client receives for work approved by the department as part of a training or rehabilitative program designed to prepare the individual for a less-restrictive placement when the total wages received plus the personal needs allowance do not exceed the one-person medically needy income level:

(i) No deductions are allowed for expenses of employment; and

(ii) The excess wages shall apply to the cost of care when the total wages received plus the initial personal needs allowance exceeds the one-person medically needy income level.

(d) An amount for the community spouse equal to the standard maintenance need of one thousand two hundred fifty-eight dollars less the separate income of the community spouse. The department shall increase the standard need maintenance amount by:

(i) Shelter expenses exceeding two hundred ~~((forty-five))~~ fifty-six dollars and eighty cents. The department shall calculate actual expenses for the community spouse's principal residence for:

- (A) Rent;
- (B) Mortgage;
- (C) Taxes and insurance;
- (D) Any maintenance charge for a condominium or cooperative; and
- (E) A food stamp standard allowance for utilities provided the utilities are not included in the maintenance charges for a condominium or cooperative ~~((and))~~.

(ii) The total of the standard maintenance need amount and the shelter expenses shall not exceed one thousand five hundred sixty-five dollars, unless:

(A) A court enters an order against the institutionalized client for the community spouse support in excess of this amount; or

(B) A hearings officer determines a greater amount is needed because of exceptional circumstances resulting in extreme financial duress.

(e) An amount for the maintenance needs of a family member ~~((s maintenance needs of))~~ residing with the community spouse equal to one-third of the amount eight hundred ~~((fifteen))~~ fifty-six dollars exceeds the family member's income for each:

- (i) Dependent or minor child;
- (ii) Dependent parent; or
- (iii) Dependent sibling of the institutionalized or community spouse ~~((residing with the community spouse))~~;

(f) If an institutional recipient does not have a community spouse, an amount for the maintenance needs of family members residing in the recipient's home is equal to the medically needy income level for the number of legal dependents in the home less the income of the dependents;

(g) Amounts for incurred medical expenses not subject to third-party payment including, but not limited to:

(i) Health insurance premiums, co-insurance, or deductible charges; and

(ii) Necessary medical care recognized under state law, but not covered under Medicaid.

~~((g))~~ (h) Maintenance of the home of a single person or couple:

(i) Up to one hundred eighty dollars per month; and

(ii) Limited to a six-month period; and

(iii) A physician has certified that either of the individuals is likely to return to the home within that period; and

(iv) Social service staff shall document initial need for the income exemption and review the person's circumstances after ninety days.

(3) The department shall not deduct specified personal needs allowance, community spouse, needy dependent maintenance needs, or home maintenance needs from a veteran's aid and attendance allowance.

(4) The recipient shall use the income remaining after allocations specified in subsection (2) of this section, toward payment of the recipient's cost of care at the department rate.

(5)(a) Effective July 1, 1988, SSI-related clients shall continue to receive total payment under 1611 (b)(1) of the Social Security Act (SSA) for the first three full calendar months of institutionalization in a public or Medicaid-approved medical institution or facility if the:

(i) Stay in the institution or facility is not expected to exceed three months; and

(ii) SSI-related clients plan to return to their former living arrangements.

(b) The department shall not consider the SSI payment when computing the participation amount.

WSR 90-12-050
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3008—Filed May 31, 1990, 12:11 p.m.]

Date of Adoption: May 31, 1990.

Purpose: To incorporate the spousal income allocation under WAC 388-95-360 for COPES, CAP and OBRA recipients. To add to WAC 388-83-210 the new waiver OBRA program.

Citation of Existing Rules Affected by this Order: Amending WAC 388-83-200 Community options program entry system (COPES); and 388-83-210 Community alternatives program (CAP) and outward bound residential alternatives (OBRA) program.

Statutory Authority for Adoption: RCW 74.08.090.

Pursuant to notice filed as WSR 90-08-046 on March 30, 1990.

Effective Date of Rule: Thirty-one days after filing.

May 31, 1990

Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 2243, filed 6/18/85)

WAC 388-83-200 COMMUNITY OPTIONS PROGRAM ENTRY SYSTEM (COPESES) ((PROJECT)). (1) An eligible person((s)) for ((the)) COPESES ((project are)) is an individual((s-age)) eighteen ((and)) years of age or over ((who)):

(a) ~~((Meet)) Meeting~~ the Title XIX categorically needy eligibility requirements for an SSI-related institutionalized individual((s)). ((See chapter 388-95 WAC. Income and resources of parents or spouses will not be considered available when determining eligibility or participation for a COPESES applicant or recipient)) For the purposes of COPESES, an individual is considered institutionalized as of the date all eligibility criteria, except institutionalized status, is met;

(b) ~~((Are assessed by))~~ The department ((to require)) assesses as requiring the level of care provided in a skilled nursing facility(;;) or an intermediate care facility ((or an intermediate care facility for the mentally retarded));

(c) ~~((Have))~~ For whom the department approves a feasible plan of care ((approved by the department)) and the total cost for this plan of care, including the MNIL for one person, is less than ninety percent of the department's state-wide average nursing home rate; and

(d) ~~((Are))~~ Able and ((choose)) choosing to ((live)) reside at home with community support services, ((or)) in a congregate care facility, or in a licensed adult family home.

(2) The department shall allocate available income of the COPESES ((participant living)) recipient residing at home ((shall be allocated)) as ((follows:

(a) ~~((a))~~ described under WAC 388-95-360 (1), (2)(c), (d), (e), (f), and (g), (3), (4), and (5), except the recipient retains an amount equal to the medically needy income level (MNIL) for one person ((shall be protected)) for the recipient's maintenance needs ((of the recipient; and

(b) ~~For the maintenance needs of the participant's spouse or family at home, an additional amount shall be protected equal to the medically needy income level for the number of dependents in the home less the income of the dependents;~~

(c) ~~Amounts for incurred medical expenses not subject to third party payment shall be protected, including:~~

(i) ~~Medicare and other health insurance premiums, deductibles, or coinsurance charges; and~~

(ii) ~~Necessary medical care recognized under state law but not covered under Medicaid;~~

(d) ~~Income remaining after deductions in (a),(b), and (c) of this subsection will be the participation amount for COPESES services). ((See WAC 388-15-620.))~~

(3) The department shall allocate income of a COPESES ((participant living)) recipient residing in an adult family home or congregate care facility ((shall be allocated as for other eligible categorically needy persons in similar living situations)). The recipient shall:

(a) Retain a specified personal needs allowance as described under WAC 388-29-130 and 388-29-280; and

(b) Pay remaining income up to the MNIL to the facility for the cost of board and room.

(4) Income remaining after allocations shall be the participation amount for COPESES services as described under WAC 388-15-620.

AMENDATORY SECTION (Amending Order 2243, filed 6/18/85)

WAC 388-83-210 COMMUNITY ALTERNATIVES PROGRAM (CAP) ((PROJECT)) AND OUTWARD BOUND RESIDENTIAL ALTERNATIVES (OBRA) PROGRAM. (1) An eligible person((s)) for ((the)) CAP ((project are)) is an individual((s-who)):

(a) ~~((Meet))~~ Meeting the requirements and ~~((are))~~ eligible for services of the division of developmental disabilities and ~~((are))~~ disabled according to SSI rules((-););

(b) ~~((Meet))~~ Meeting the Title XIX categorically needy eligibility requirements for an SSI-related institutionalized individual((s- See chapter 388-95 WAC. Income and resources of parents or spouses will not be considered available when determining eligibility or participation for a CAP applicant or recipient)). For the purposes of CAP and OBRA, an individual is considered institutionalized as of the date all eligibility criteria, except institutionalized status, is met;

(c) ~~((Are assessed by the department to require))~~ The department assesses as requiring the level of care provided in an intermediate care facility for the mentally retarded (IMR)((-););

(d) ~~((Have a))~~ For whom the department approves an individual plan of care ((approved by the department and the total cost for this plan of care including the medically needy income level for one person is eighty percent or less than the cost of IMR care as demonstrated in the client's services budget.)) describing the provided community support services; and

(e) ~~((Are))~~ Able and ((choose)) choosing to ((live)) reside in the community with community support services according to ((a CAP service)) the plan of care.

(2) An eligible person for the OBRA home and community-based services program is an individual:

(a) Meeting the CAP eligibility standards in WAC 388-83-210(1) of this section; and

(b) Residing in a Title XIX nursing facility at the time of application for OBRA services.

(3) The department shall allocate available total income, including amounts disregarded in determining eligibility, of a CAP ((participant shall be allocated)) or OBRA recipient as follows:

(a) For a recipient residing in the recipient's residence, including a recipient receiving intensive tenant support services, an amount equal to ((the medically needy income level)) a maximum of three hundred percent of the SSI federal benefit rate for one person shall

be protected for the recipient's maintenance needs (~~(of the recipient)~~); (~~(or)~~)

(b) For a recipient residing in a state-contracted or state-operated group home, adult family home, or congregate care facility, the following amounts shall be protected for the recipient's maintenance needs:

(i) A specified personal needs allowance, as described under WAC 388-29-130 and 388-29-280;

(ii) An amount equal to the monthly room and board cost for the facility where the recipient resides;

(iii) The first twenty dollars per month of earned or unearned income; and

(iv) The first sixty-five dollars plus one-half of the remaining earned income not previously excluded.

(c) For a recipient described in subsection (3)(b) of this section, the maximum amount allowed for any recipient's individual maintenance needs shall not exceed three hundred percent of the SSI federal benefit rate. A recipient shall not be allowed an individual maintenance needs deduction of less than the SSI payment standard;

(d) For ~~((an individual))~~ a recipient with a spouse ~~((or dependent children))~~ at home who is not receiving CAP or OBRA services, an amount ~~((shall be))~~ is protected ~~((equal to the medically needy income level adjusted for the appropriate family size))~~ for the spouse's maintenance needs as computed in WAC 388-95-360 (2)(d);

~~((e))~~ (e) For a recipient with a dependent relative residing with the spouse not receiving CAP or OBRA services, an amount is protected for the relative's maintenance needs as computed in WAC 388-95-360 (2)(e);

(f) Amounts for incurred medical expenses not subject to third party payment shall be protected, including:

(i) Medicare and other health insurance premiums, deductibles, or coinsurance charges; and

(ii) Necessary medical care recognized under state law but not covered under Medicaid(;) .

~~((d))~~ (g) Income remaining after deductions in subdivision (a), (b), ~~((and))~~ (c), (d), (e), and (f) of this subsection will be the participation amount for CAP or OBRA services.

~~((3))~~ Income of a CAP participant living in an adult family home shall be allocated as for other eligible categorically needy persons in similar living situations.)

WSR 90-12-051
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3009—Filed May 31, 1990, 12:12 p.m.]

Date of Adoption: May 31, 1990.

Purpose: To include that Medicaid pays for detoxification of acute alcohol or other drug intoxication.

Citation of Existing Rules Affected by this Order: Amending WAC 388-86-005 Services available to recipients of categorical needy medical assistance.

Statutory Authority for Adoption: RCW 74.08.090.

Pursuant to notice filed as WSR 90-08-109 on April 4, 1990.

Changes Other than Editing from Proposed to Adopted Version: In subsection (12), the word "medically" is removed from before the colon. The term "medically" is added as the first word in (a) and (b) to identify the medically needy and the medically indigent programs.

Effective Date of Rule: Thirty-one days after filing.

May 31, 1990

Leslie F. James, Director
 Administrative Services

AMENDATORY SECTION (Amending Order 2860, filed 8/29/89, effective 9/29/89)

WAC 388-86-005 SERVICES AVAILABLE TO RECIPIENTS OF CATEGORICAL NEEDY MEDICAL ASSISTANCE. (1) The department shall provide the following Title XIX mandatory services:

(a) Early and periodic screening diagnosis and treatment services to eligible individuals twenty years of age or under;

(b) Family planning services;

(c) Home health agency services;

(d) Inpatient and outpatient hospital care;

(e) Other laboratory and x-ray services;

(f) Skilled nursing home care;

(g) Certified registered nurse practitioner services; and

(h) Physicians' services in the office or away from the office as needed for necessary and essential medical care.

(2) The department shall provide the following Title XIX optional services:

(a) Anesthetization services;

(b) Blood;

(c) Drugs and pharmaceutical supplies;

(d) Eyeglasses and examination;

(e) Hearing aids and examinations;

(f) Hospices services;

(g) Nurse and licensed midwife services;

(h) Maternity support services;

(i) Oxygen;

~~((t))~~ (j) Personal care services;

~~((t))~~ (k) Physical therapy services;

~~((t))~~ (l) Private duty nursing services;

~~((t))~~ (m) Rural health clinic services;

~~((m))~~ (n) Surgical appliances;

~~((m))~~ (o) Prosthetic devices and certain other aids to mobility; and

~~((t))~~ (p) Dental services.

(3) The department shall limit organ transplants to the cornea, heart, kidney, liver, and bone marrow.

(4) The department shall provide treatment, dialysis, equipment, and supplies for acute and chronic nonfunctioning kidneys in the home, hospital, and kidney center (~~(-See))~~ as described under WAC 388-86-050(5).

(5) The department shall provide detoxification and medical stabilization to chemically ~~((dependent))~~ using pregnant women in a hospital ~~((or on an outpatient basis))~~.

(6) ~~((The department shall not provide treatment to detoxify narcotic addiction cases, other than pregnant women, in a hospital or on an outpatient basis as a part~~

~~of the medical assistance program. The department shall provide treatment for concurrent diseases and complications:~~

~~(7)) The department shall provide detoxification of ((an)) acute ((alcoholic condition)) alcohol or other drug intoxication only in a certified detoxification center or in a general hospital ((with certified)) having a detoxification ((facilities)) provider agreement with the department.~~

~~(7) The department shall provide outpatient chemical dependency treatment in programs certified under chapter 275-19 WAC.~~

(8) The department shall approve requested services:

(a) ~~((That are))~~ Listed in this section; and

(b) Where evidence is obtainable to establish medical necessity(;) as defined under WAC 388-80-005, if the recipient or provider submits sufficient objective clinical information including, but not limited to:

(i) A physiological description of the disease, injury, impairment, or other ailment;

(ii) Pertinent laboratory findings;

(iii) X-ray reports; and

(iv) Patient profiles.

(9) The department shall deny a request for medical services ~~((if))~~ when the requested service is:

(a) Not medically necessary as defined under WAC 388-80-005; or

(b) Generally regarded by the medical profession as experimental in nature or as unacceptable treatment, unless the recipient ~~((can))~~ demonstrates through sufficient objective clinical evidence the existence of particular circumstances ~~((which render))~~ rendering the requested service medically necessary.

(10) The department shall:

(a) Approve or deny all requests for medical services within fifteen days of the receipt of the request; or

(b) If additional justifying information is necessary before a decision can be made, neither approve nor deny the request, but shall return the request to the provider within five working days of the original receipt. If additional justifying information is:

(i) Not returned within thirty days of the date the request was returned to the provider, then the department shall approve or deny the original request.

(ii) Returned to the department, the department shall act on the request within five working days of the receipt of the additional justifying information.

(11) When the department denies a request for medical services, the department shall, within five working days of the decision, give the recipient and the provider written notice of the denial. The notice shall state:

(a) The specific reasons for the department's conclusion to deny the requested service;

(b) The recipient has a right to a fair hearing if the request is made within ninety days of receipt of the denial, with the instruction on how to request the hearing;

(c) The recipient may be represented at the hearing by legal counsel or other representative;

(d) That upon request, the community service office (CSO) shall furnish the recipient the name and address of the nearest legal services office; and

(e) If a fair hearing is requested, a medical assessment from other than ~~((that of))~~ the person ~~((or persons))~~ involved in making the original decision may be obtained at the department's expense ~~((of the department))~~.

(12) For services available under the limited casualty:

(a) ~~((The limited casualty))~~ Program—medically needy, see chapter 388-99 WAC; and

(b) ~~((The limited casualty))~~ Program—medically indigent, see chapter 388-100 WAC.

(13) The department may require a second opinion and/or consultation ~~((prior to))~~ before the approval of any elective surgical procedure.

(14) The department shall designate ~~((those))~~ diagnoses that may require surgical ~~((procedures which))~~ intervention:

(a) ~~((Can be))~~ Performed in other than a hospital inpatient setting; and

(b) ~~((Require))~~ Requiring prior approval by the central authorization unit for a hospital admission.

(15) The department shall assure the availability of necessary transportation to and from covered Title XIX medical services.

WSR 90-12-052

PERMANENT RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Public Assistance)

[Order 3010—Filed May 31, 1990, 12:13 p.m.]

Date of Adoption: May 31, 1990.

Purpose: To update the income level to the 185% of the 1990 federal poverty level.

Citation of Existing Rules Affected by this Order: Amending WAC 388-83-032 Pregnant women and infants.

Statutory Authority for Adoption: RCW 74.08.090.

Pursuant to notice filed as WSR 90-08-044 on March 30, 1990.

Effective Date of Rule: Thirty-one days after filing.

May 31, 1990

Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 2884, filed 10/27/89, effective 11/27/89)

WAC 388-83-032 PREGNANT WOMEN AND INFANTS. (1) The department shall find pregnant women and infants under one year of age eligible for Medicaid as categorically needy, if the pregnant women and infants meet:

(a) The income requirements of this section; and

(b) Citizenship, Social Security Number, and Residence requirements under chapter 388-83 WAC.

(2) If ~~((the))~~ a pregnant woman applies on or before the last day of pregnancy, the department shall find her eligible for continued Medicaid coverage through the end of the month containing the sixtieth day from the day pregnancy ends.

(3) Income eligibility:

(a) Total family income shall not exceed one hundred eighty-five percent of the federal poverty income guidelines as published and updated by the secretary of health and human services. One hundred eighty-five percent of the ~~((1989))~~ 1990 federal poverty income guidelines is:

	Family Size	Monthly
(i)	One	\$ ((922)) 968
(ii)	Two	\$ ((1,236)) 1,298
(iii)	Three	\$ ((1,551)) 1,628
(iv)	Four	\$ ((1,865)) 1,958
(v)	Five	\$ ((2,180)) 2,288
(vi)	Six	\$ ((2,494)) 2,618
(vii)	Seven	\$ ((2,809)) 2,948
(viii)	Eight	\$ ((3,123)) 3,278

(ix) For family units with nine members or more, add \$ ~~((315))~~ 330 to the monthly income for each additional member.

(b) The department shall determine family income:

(i) According to AFDC methodology, except the department shall exclude the income of the unmarried father of the unborn unless the income is actually contributed; and

(ii) Apply the special situations under WAC 388-83-130 ~~((5))~~ (3) and ~~((6))~~ (4).

(3) The department shall not consider resources in determining the eligibility of groups in this section.

(4) Changes in family income shall not affect eligibility for medical assistance during pregnancy and when eligible under subsection (2) of this section through the sixtieth day from the last day of pregnancy:

(a) Once the department determines a pregnant woman eligible under this section; or

(b) If at any time while eligible for and receiving medical assistance a pregnant woman meets the eligibility requirements of this section.

(5) An infant shall be eligible until the later of the end of the month in which the infant:

(a) ~~((The end of the month in which the infant))~~ Becomes one year of age; or

(b) ~~((The end of the month in which the infant))~~ Receives inpatient services if:

(i) The infant is receiving inpatient services on the last day of the month in which the child becomes one year of age; and

(ii) The stay for inpatient services continues into the following month or months; and

(iii) The infant is eligible for medical assistance under this section except for age.

WSR 90-12-053
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3011—Filed May 31, 1990, 12:14 p.m.]

Date of Adoption: May 31, 1990.

Purpose: To make WAC 388-100-010 consistent with the spenddown chapter 388-99 WAC.

Citation of Existing Rules Affected by this Order: Amending WAC 388-100-010 Limited casualty program—Medically indigent—Eligibility determination.

Statutory Authority for Adoption: RCW 74.08.090.

Pursuant to notice filed as WSR 90-08-038 on March 30, 1990.

Effective Date of Rule: Thirty-one days after filing.
 May 31, 1990
 Leslie F. James, Director
 Administrative Services

AMENDATORY SECTION (Amending Order 2378, filed 5/14/86)

WAC 388-100-010 LIMITED CASUALTY PROGRAM—MEDICALLY INDIGENT—ELIGIBILITY DETERMINATION. (1) Citizenship and residency are not requirements for eligibility. However, ~~((a))~~ an individual ~~((who is))~~ shall not be eligible for LCP-MI when the individual:

(a) Is eligible for medical care from another state ((is not eligible for LCP-MI)); or

(b) ((an individual who)) Enters Washington state specifically for the purpose of obtaining medical care ((is not eligible for LCP-MI)).

(2) Persons receiving LCP-MI shall meet the following eligibility standards:

(a) The individual is not receiving continuing cash assistance or eligible for any other medical program((-);

(b) Income shall:

(i) Not exceed the medically needy income level in WAC 388-99-020; or ((shall))

(ii) Be ((spenddown)) spent down to that level according to procedures in WAC 388-99-030((-);

(c) Nonexempt resources shall not exceed the resource standard for SSI or shall be ~~((spenddown))~~ spent down to that level according to procedures in WAC 388-100-015((-);

(d) The applicant who ~~((has))~~ transferred resources within two years ~~((prior to))~~ before the date of application but after July 1, 1981, shall spenddown the uncompensated value of the resource as described in WAC ~~((388-100-010))~~ 388-100-015. See WAC ~~((388-99-035(2))~~ 388-92-043 for determining the uncompensated value of the transferred resource((-); and

(e) For a pregnant woman ~~((who does not meet the AFDC income, resource and/or deprivation requirements)),~~ the department shall increase the number in the household by one before comparing the number in the household to the:

(i) ((The number in the household shall be increased by one before being compared to the)) Income requirements of subdivision (b) of this subsection; and

(ii) ~~((The number in the household shall be increased by one before being compared to the))~~ Resource requirements of subdivision (c) of this subsection.

(3) The department shall use AFDC income guidelines in chapter 388-28 WAC to determine treatment of income(-), except:

(a) The AFDC earned income exemption of thirty dollars plus one-third of the remainder does not apply to individuals applying for LCP-MI(-); and

(b) Deduct health insurance premiums expected to be paid during the base period.

(4) The department shall use AFDC resource guidelines in chapter 388-28 WAC to determine ((exempt)) resources, except for provisions under WAC 388-28-425.

(5) The applicant shall satisfy the deductible requirement in WAC 388-100-030.

WSR 90-12-054
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3012—Filed May 31, 1990, 12:15 p.m.]

Date of Adoption: May 31, 1990.

Purpose: To implement new rules regarding food stamp program income deductions.

Citation of Existing Rules Affected by this Order: Amending WAC 388-49-500 Income—Deductions.

Statutory Authority for Adoption: RCW 74.04.510.

Pursuant to notice filed as WSR 90-09-078 on April 18, 1990.

Effective Date of Rule: Thirty-one days after filing.

May 31, 1990

Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 2901, filed 11/17/89, effective 12/18/89)

WAC 388-49-500 INCOME—DEDUCTIONS.

(1) The department shall allow the following deductions when computing net income:

(a) A standard deduction of one hundred twelve dollars per household per month;

(b) An earned income deduction of twenty percent of gross earned income except as provided in WAC 388-49-640(8);

(c) A dependent care deduction of the actual amount incurred not to exceed one hundred sixty dollars per dependent when care is necessary for a household member to:

(i) Seek, accept, or continue employment; or

(ii) Attend training or education preparatory to employment.

(d) A deduction for nonreimbursable monthly medical expenses over thirty-five dollars incurred by an elderly or disabled household member;

(e) Shelter costs in excess of fifty percent of the household's income after deducting the standard, earned

income, medical, and dependent care deductions. The shelter deduction shall not exceed one hundred seventy-seven dollars;

(f) An excess shelter deduction for the monthly amount exceeding fifty percent of the household's monthly income after all applicable deductions for households containing an elderly or disabled person.

(2) Shelter costs may include:

(a) Costs for a home not occupied because of employment, training away from the home, illness, or abandonment caused by casualty loss or natural disaster shall be allowed if the:

(i) Household intends to return to the home;

(ii) Current occupants, if any, are not claiming shelter costs for food stamp purposes; and

(iii) Home is not being leased or rented during the household's absence.

(b) Charges for the repair of the home which was substantially damaged or destroyed due to a natural disaster;

(c) The standard utility allowance when a household incurs any separate utility charges for heating or cooling costs. A household may incur a separate utility charge when the household:

(i) Has not yet received a billing for utilities; or

(ii) Is billed monthly by the landlord for actual usage as determined through individual metering; or

(iii) Shares residence and utility costs with other persons, in which case the deduction is for the household's prorated share of the standard allowance.

(d) Actual utility costs rather than the standard utility allowance if the household is:

(i) Not entitled to the standard utility allowance((-)); or

(ii) Requesting use of actual utility bills. A monthly telephone standard shall be allowed for households incurring telephone expenses if the household is not entitled to claim the standard utility allowance.

(3) A household may switch between actual utility costs and the standard utility allowance:

(a) At each recertification((-)); and

(b) One additional time during each twelve-month period following the initial certification action.

(4) The department shall provide excess medical and/or shelter deductions effective with supplemental security income (SSI) eligibility when households:

(a) Become categorically eligible within the time limits specified under WAC 388-49-120 and 388-49-150 after a food stamp application;

(b) Receive food stamps as a nonassistance household until becoming categorically eligible; or

(c) Become categorically eligible after denial of non-assistance food stamps.

(5) The department shall not provide a deduction for that portion of a deductible expense, described under this section, paid by an excluded:

(a) Reimbursement; or

(b) Vendor payment, except for Low Income Home Energy Assistance Act (LIHEAA) payments.

(6) The department shall verify:

(a) Continuing shelter costs, if allowing the costs could potentially result in a deduction. Verify on a one-time basis unless the household has:

- (i) Moved(;) or
 - (ii) Reported an increase in costs affecting the amount of the deduction or the information is questionable.
 - (b) Utility expenses:
 - (i) If the household is entitled to the standard utility allowance. Verify on a one-time basis unless the household has moved, changed its utilities, or the information is questionable; or
 - (ii) On a one-time basis if the household claims actual utility expenses at initial certification, recertification, or on a monthly basis for households subject to monthly reporting.
 - (c) Dependent care costs including changes, except in prospective budgeting;
 - (d) Medical expenses and the reimbursement amounts resulting in a deduction:
 - (i) At recertification, if the amount has changed more than twenty-five dollars; and
 - (ii) On a monthly basis for a household subject to monthly reporting.
- ~~((5))~~ (7) If medical reimbursement cannot be verified, the department shall certify the household without allowing the deduction, except in prospective budgeting.

WSR 90-12-055
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3013—Filed May 31, 1990, 12:16 p.m.]

Date of Adoption: May 31, 1990.

Purpose: To amend food stamp program rules: To require that households, which apply on or after the sixteenth of the month whose verifications has been postponed when receiving expedited benefits, will receive only the first month's benefits within the five-day maximum. The next month's benefits will be issued within five working days from receipt of the postponed verification; to specify that a household which includes a destitute migrant or seasonal farmworker whose liquid resources do not exceed one hundred dollars shall receive expedited service; and to separate subdivision into two distinct actions to reduce confusion.

Citation of Existing Rules Affected by this Order: Amending WAC 388-49-080 Expedited service.

Statutory Authority for Adoption: RCW 74.04.510.

Pursuant to notice filed as WSR 90-09-083 on April 18, 1990.

Effective Date of Rule: Thirty-one days after filing.

May 31, 1990
 Leslie F. Jamés, Director
 Administrative Services

AMENDATORY SECTION (Amending Order 2575, filed 12/31/87)

WAC 388-49-080 EXPEDITED SERVICE. (1) The department shall provide expedited service for applying households when the household:

- (a) Has liquid resources of one hundred dollars or less; and
- (b) Has gross monthly income under one hundred fifty dollars; or
- (c) Has combined gross income and liquid resources which are less than the household's current monthly rent or mortgage and actual utilities costs; or
- (d) Includes all members who are homeless individuals; or
- (e) Includes a destitute migrant or seasonal farm worker(s) whose liquid resources do not exceed one hundred dollars.

(2) The department shall provide food stamps to households eligible for expedited services by the end of the fifth calendar day following the date the application was filed.

(3) The department shall provide food stamps to residents of drug and alcohol treatment centers and group living arrangements eligible for expedited service, by the fifth calendar day following the date of application.

(4) When certifying a household eligible for expedited service, the department shall:

- (a) Verify the household's identity;
- (b) Make a reasonable effort to verify residence, income, liquid resources, and all other required verifications within the expedited processing standards;
- (c) Require the applicant to register for work unless exempt or the authorized representative is applying for the household (~~and shall~~);

(d) Attempt to register other household members for work without delaying expedited benefits;

~~((d))~~ (e) Issue benefits within five calendar days for expedited service; and

~~((e))~~ (f) Assist the household in obtaining necessary verification.

(5) The department shall certify an expedited service household(;):

(a) Based on certification periods in WAC 388-49-160(;) when all necessary verification ((has been)) is provided; or

(b) For one month when necessary verification is postponed; or

(c) For the month of application and the subsequent month when:

(i) Verification is postponed; and

(ii) The application is received after the fifteenth of the month.

~~(6) ((The department shall certify for one month when necessary verification has been postponed.~~

~~(7) The department shall certify for the month of application and the subsequent month when:~~

~~(a) Verification is postponed; and~~

~~(b) The application is received after the fifteenth of the month.~~

~~(8))~~ The department shall, after postponed verification is received for cases certified under subsection (5)(c), issue the subsequent month's benefits:

(a) Within five working days from receipt of the verification; or

(b) The first working day of the subsequent month, whichever is later.

(7) There is no ((time)) limit to the number of times a household may receive expedited service provided:

(a) The household completes the postponed verification requirements, or

(b) The household was certified under the thirty-day processing standard since the last expedited certification.

~~((9))~~ (8) The department shall conduct an out-of-office interview and complete the application process within the expedited service standard when a household is entitled to expedited service and a waiver of the office interview.

(4) The department shall provide food stamps, effective the date of application, to categorically eligible households:

(a) Not denied food stamps; and

(b) Determined categorically eligible within the time limits specified under WAC 388-49-120 and 388-49-150.

(5) The department shall re-evaluate, within sixty days from the application date, any food stamp application from a household:

(a) Applying for both food stamps and AFDC or SSI; and

(b) Denied food stamps before a positive AFDC or SSI eligibility determination.

(6) The department shall provide food stamp benefits, effective the AFDC eligibility date, for households:

(a) Filing joint applications; and

(b) Found categorically eligible after being denied nonassistance food stamps.

WSR 90-12-056

PERMANENT RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Public Assistance)

[Order 3014—Filed May 31, 1990, 12:22 p.m.]

Date of Adoption: May 31, 1990.

Purpose: Clarify food stamp application processing rules for public assistance households.

Citation of Existing Rules Affected by this Order: Amending WAC 388-49-070 Public assistance households.

Statutory Authority for Adoption: RCW 74.04.510.

Pursuant to notice filed as WSR 90-09-080 on April 18, 1990.

Effective Date of Rule: Thirty-one days after filing.

May 31, 1990

Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 2855, filed 8/29/89, effective 9/29/89)

WAC 388-49-070 PUBLIC ASSISTANCE HOUSEHOLDS. (1) The department shall accept one application from a household applying for food stamps and public assistance at the same time.

(2) When a household files an application requesting public assistance and food stamps, the department shall:

~~((1))~~ (a) Conduct a single interview at initial application;

~~((2))~~ (b) Not delay food stamp benefits pending determination of public assistance eligibility; and

~~((3))~~ (c) Not require a new food stamp application filing if the department~~((:~~

~~(a)) denies the public assistance request((; or~~

~~(b) Terminates public assistance eligibility during a certification period)).~~

(3) The department shall not require a new food stamp application if the department terminates public assistance eligibility during a certification period.

WSR 90-12-057

PERMANENT RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Public Assistance)

[Order 3015—Filed May 31, 1990, 12:23 p.m.]

Date of Adoption: May 31, 1990.

Purpose: To amend food stamp program definitions to conform with federal definitions and to define "department," a term used in a variety of food stamp program rules.

Citation of Existing Rules Affected by this Order: Amending WAC 388-49-020 Definitions.

Statutory Authority for Adoption: RCW 74.04.510.

Pursuant to notice filed as WSR 90-09-081 on April 18, 1990.

Effective Date of Rule: Thirty-one days after filing.

May 31, 1990

Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 2854, filed 8/29/89, effective 9/29/89)

WAC 388-49-020 DEFINITIONS. (1) "Administrative disqualification hearing" means a formal hearing to determine whether or not an individual committed an intentional program violation.

(2) "Administrative error overissuance" means any overissuance caused solely by:

(a) Department action or failure to act when the household properly and accurately reported all the household's circumstances to the department; or

(b) For households determined categorically eligible under WAC 388-49-180(1), department action or failure to act which resulted in the household's improper eligibility for public assistance, provided a claim can be calculated based on a change in net food stamp income and/or household size.

(3) "Administrative law judge" means an employee of the office of administrative hearings empowered to preside over adjudicative proceedings.

(4) "Aid to families with dependent children (AFDC) program" means the federally funded public assistance program for dependent children and their families authorized under Title IV-A of the Social Security Act.

(5) "Allotment" means the total value of coupons a household is certified to receive during a calendar month.

(6) "Application process" means the filing and completion of an application form, interview or interviews, and verification of certain information.

(7) "Authorized representative" means an adult non-household member sufficiently aware of household circumstances designated, in writing, by the head of the household, spouse, or other responsible household member to act on behalf of the household.

(8) "Beginning months" means the first month the household is eligible for benefits, and the month thereafter. The first beginning month cannot follow a month in which a household was certified eligible to receive benefits.

(9) "Benefit level" means the total value of food stamps a household is entitled to receive based on household income and circumstances.

(10) "Boarder" means an individual residing with the household, except a person described under WAC 388-49-190 (2)(a), (b), (c), or (d), who is a:

(a) ~~((A))~~ Person paying reasonable compensation to the household for lodging and meals; or

(b) ~~((A))~~ Foster child.

(11) "Budget month" means the first month of the monthly reporting cycle; the month for which the household reports their circumstances.

(12) "Certification period" means definite period of time within which the household has been determined eligible to receive food stamps.

(13) "Child" means someone ~~((under eighteen))~~ seventeen years of age or younger, and under parental control.

(14) "Collateral contact" means contact with someone outside of the household to confirm the household's circumstances.

(15) "Commercial boarding home" means an enterprise offering meals and lodging for compensation with the intent of making a profit.

(16) "Department" means the department of social and health services.

(17) "Dependent care deduction" means costs incurred by a household member for care provided by a nonhousehold member when the care is necessary for a household member to seek, accept, or continue employment, or attend training or education preparatory to employment.

~~((17))~~ (18) "Destitute household" means a household with migrant or seasonal workers with little or no income at the time of application in need of immediate food assistance.

~~((18))~~ (19) "Disabled person" means a person who meets one of the following criteria:

(a) Receives Supplemental Security Income (SSI) under Title XVI of the Social Security Act;

(b) Receives disability or blindness payments under Titles I, II, XIV, or XVI of the Social Security Act;

(c) Is a veteran with service-connected or nonservice-connected disability rated or paid as total under Title 38 of the United States Code (USC), or considered in need of regular aid and attendance, or permanently housebound under such title;

(d) Is a surviving spouse of a veteran and considered in need of aid and attendance, or permanently housebound; or a surviving child of a veteran and considered to be permanently incapable of self-support under Title 38 of the USC;

(e) A surviving spouse or child of a veteran and entitled to compensation for service-connected death or pension benefits for a nonservice-connected death under Title 38 of the USC and has a disability considered permanent under section 221(i) of the Social Security Act;

(f) Receives disability retirement benefits from a federal, state, or local government agency, because of a disability considered permanent under section 221(i) of the Social Security Act;

(g) Receives an annuity payment as part of the Railroad Retirement Act of 1974 under:

(i) Section 2 (a)(1)(iv) and is determined eligible to receive Medicare by the Railroad Retirement Board; or

(ii) Section 2 (a)(1)(v) and is determined disabled based on the criteria under Title XVI of the Social Security Act; or

(h) Is a recipient of disability-related medical assistance under Title XIX of the Social Security Act.

~~((19))~~ (20) "Documentary evidence" means written confirmation of a household's circumstances.

~~((20))~~ (21) "Documentation" means the process of recording the source, date, and content of verifying information.

~~((21))~~ (22) "Elderly person" means a person sixty years of age or older.

~~((22))~~ (23) "Eligible food" means, for a homeless food stamp household, meals prepared for and served by an authorized homeless meal provider.

~~((23))~~ (24) "Entitlement" means the food stamp benefit a household received including a disqualified household member.

~~((24))~~ (25) "Equity value" means fair market value less encumbrances.

~~((25))~~ (26) "Expedited services" means quick provision of food stamps within five calendar days to an eligible household which:

(a) Has liquid resources of one hundred dollars or less; and

(b) Has gross monthly income under one hundred fifty dollars; or

(c) Has combined gross income and liquid resources which are less than the household's current monthly rent or mortgage and actual utility costs; or

(d) Includes all members who are homeless individuals; or

(e) Includes destitute migrant or seasonal farm workers.

~~((26))~~ (27) "Fair hearing" means an adjudicative proceeding in which the department hears and decides an applicant/recipient's appeal from the department's action or decision.

~~((27))~~ (28) "Fair market value" means the value at which a prudent person might sell the property if the person was not forced to sell.

~~((28))~~ (29) "Food coupon" means food stamps and the two terms are interchangeable.

~~((29))~~ (30) "Food coupon authorization (FCA) card" means the document issued by the local or state office to authorize the allotment the household is eligible to receive.

~~((30))~~ (31) "Food stamp monthly reporting cycle" means the budget month, the process month, and the payment month.

~~((31))~~ (32) "Gross income eligibility standards" means one hundred thirty percent of the federal poverty level for the forty-eight contiguous states.

~~((32))~~ (33) "Group living arrangement" means a public or private nonprofit residential setting serving no more than sixteen residents certified by the appropriate state agency under section 1616(e) of the Social Security Act.

~~((33))~~ (34) "Head of household" means:

(a) The person designated by the household to be named on the case file, identification card, and FCA card;

(b) For employment services or the voluntary quit provision, the household member who is the principal wage earner with the greatest source of earned income in the two months prior to the month of violation, including members not required to register, provided:

(i) The employment involves at least twenty hours per week; and

(ii) The person is not living with a parent or a person fulfilling that role who is:

(A) Registered for work,

(B) Exempt from work registration because of registration in a Title IV-A or IV-C work program of the Social Security Act, as amended, or the receipt of unemployment compensation, or

(C) Employed or self-employed and working a minimum of thirty hours per week, or receiving weekly earnings equal to the federal minimum wage multiplied by thirty hours.

~~((34))~~ (35) "Home visit" means a personal contact at the person's residence by a department employee. The home visit shall be scheduled in advance with the household.

~~((35))~~ (36) "Homeless ~~((food stamp household)) individual~~" means an ~~((eligible food stamp household having no fixed mailing address or not residing in a permanent dwelling)) individual lacking a fixed and regular nighttime residence or an individual whose primary nighttime residence is a:~~

(a) Supervised shelter designed to provide temporary accommodations;

(b) Halfway house or similar institution that provides temporary residence for individuals needing institutionalization;

(c) Temporary accommodation in the residence of another individual; or

(d) Place not designed for, or ordinarily used as, a regular sleeping accommodation for humans.

~~((36))~~ (37) "Homeless meal provider" means a public or private nonprofit establishment (e.g., soup kitchen, temporary shelter, mission, or other charitable organizations) feeding homeless persons, approved by division of income assistance (DIA) and authorized by food and nutrition service (FNS).

~~((37))~~ (38) "Household" means the basic client unit in the food stamp program.

~~((38))~~ (39) "Household disaster" means when food purchased with food stamps are destroyed by a natural disaster, such as flood, fire, etc.

~~((39))~~ (40) "Identification card" means the document identifying the bearer as eligible to receive and use food stamps.

~~((40))~~ (41) "Inadvertent household error overissuance" means any overissuance caused by either:

(a) Misunderstanding or unintended error ~~((on the part of the household)) by a household:~~

(i) Not determined categorically eligible under WAC 388-49-180(1); or

(ii) Determined categorically eligible under WAC 388-49-180(1) if a claim can be calculated based on a change in net food stamp income and/or household size; or

(b) Social Security Administration action or failure to take action which resulted in the household's categorical eligibility, if a claim can be calculated based on a change in net food stamp income and/or household size.

~~((41))~~ (42) "Ineligible household member" means the member excluded from the food stamp household because of:

(a) Disqualification for intentional program violation;

(b) Failure to apply for or provide a Social Security number;

(c) Failure to comply with work registration requirements;

(d) Status as an ineligible alien;

(e) Status as an ineligible student; or

(f) Failure to sign the application attesting to the member's citizenship or alien status.

~~((42))~~ (43) "Institution" means any place of residence (private or public) providing maintenance and meals for two or more persons.

~~((43))~~ (44) "Institution of higher education" means any institution normally requiring a high school diploma or equivalency certificate for enrollment. This includes any two-year or four-year college. Also included is any course in a trade or vocational school that normally requires a high school diploma or equivalency for admittance to the course.

~~((44))~~ (45) "Intentional program violation," after August 8, 1983, means intentionally:

(a) Making a false or misleading statement;

(b) Misrepresenting, concealing, or withholding facts; or

(c) Committing any act constituting a violation of the Food Stamp Act, the food stamp program regulations, or

any state statute relating to the use, presentation, transfer, acquisition, receipt, or possession of food stamp coupons or FCAs.

Intentional program violation which ended prior to August 8, 1983, consists of any action by an individual or individuals to knowingly, willfully, and with deceitful intent:

(a) Make a false statement to the department, either orally or in writing, to obtain benefits to which the household is not entitled;

(b) Conceal information to obtain benefits to which the household is not entitled;

(c) Alter authorization cards or coupons to obtain benefits to which the household is not entitled;

(d) Use coupons to buy expensive or conspicuous non-food items;

(e) Use or possess improperly obtained coupons or authorization cards; and

(f) Trade or sell coupons or authorization cards.

((45)) (46) "Intentional program violation overissuance" means any overissuance caused by an intentional program violation.

((46)) (47) "Live-in attendant" means an individual residing with a household to provide medical, house-keeping, child care, or other similar personal services.

((47)) (48) "Lump sum" means money received in the form of a nonrecurring payment including, but not limited to:

(a) Income tax refunds,

(b) Rebates,

(c) Retroactive payments, and

(d) Insurance settlements.

((48)) (49) "Mandatory fees" means those fees charged to all students within a certain curriculum. Transportation, supplies, and textbook expenses are not uniformly charged to all students and are not considered as mandatory fees.

((49)) (50) "Migrant farmworker" means an individual working in seasonal agricultural employment and who is required to be absent overnight from his or her permanent place of residence.

((50)) (51) "Net income eligibility standard" means the federal income poverty level for the forty-eight contiguous states.

((51)) (52) "Nonhousehold member" means a person who is not considered a member of the food stamp household such as:

(a) A roomer;

(b) A live-in attendant; or

(c) An individual who does not purchase and prepare meals with the food stamp household.

((52)) (53) "Nonstriker" means any person:

(a) Exempt from work registration the day prior to the strike for reasons other than their employment;

(b) Unable to work as a result of other striking employees, e.g., truck driver not working because striking newspaper pressmen not printing output;

(c) Not part of the bargaining unit on strike but not wanting to cross picket line due to fear of personal injury or death; or

(d) Unable to work because workplace is closed to employees by employer in order to resist demands of employees, e.g., a lockout.

((53)) (54) "Offset" means reduce restored benefits by any overissue (claim) owed by the household to the department.

((54)) (55) "Overissuance" means the amount of coupons issued to a household in excess of the amount eligible to receive.

((55)) (56) "Overpayment" means the same as "overissuance" and shall be the preferred term used in procedures.

((56)) (57) "Payment month" means the third month of the budget cycle; the month in which the food stamp allotment is affected by information reported on the monthly report for the budget month.

((57)) (58) "Period of intended use" means the period for which an FCA or food coupon is intended to be used.

((58)) (59) "Post secondary education" means a school not requiring a high school diploma or equivalency for enrollment. This includes trade school, vocational schools, business colleges, beauty schools, barber schools, etc.

((59)) (60) "Process month" means the second month of the monthly reporting cycle; the month in which the monthly report is to be returned by the household to the local office.

((60)) (61) "Project area" means the county or similar political subdivision designated by the state as the administrative unit for program operations.

((61)) (62) "Prospective budgeting" means the computation of a household's income based on income received or anticipated income the household and department are reasonably certain will be received during the month of issuance.

((62)) (63) "Prospective eligibility" means the determination of eligibility based on prospective budgeting rules and other household circumstances anticipated during the month of issuance.

((63)) (64) "Quality control review" means a review of a statistically valid sample of cases to determine the accuracy of budgeting, issuance, denial, withdrawal, and termination actions taken by the department.

((64)) (65) "Quality control review period" means the twelve-month period from October 1 of each calendar year through September 30 of the following calendar year.

((65)) (66) "Recent work history" means receipt of earned income in one of the two months prior to the payment month.

((66)) (67) "Recertification" means approval of continuing benefits based on an application submitted prior to the end of the current certification period.

((67)) (68) "Resident of an institution" means a person who resides in an institution that provides the individual with the majority of meals as part of the institution's normal service.

((68)) (69) "Retrospective budgeting" means the computation of a household's income for a payment month based on actual income received in the corresponding budget month of the monthly reporting cycle.

~~((69))~~ (70) "Retrospective eligibility" means the determination of eligibility based on retrospective budgeting rules and other circumstances existing in the budget month.

~~((70))~~ (71) "Roomer" means an individual to whom a household furnishes lodging, but not meals, for compensation.

~~((71))~~ (72) "Seasonal farmworker" means an individual working in seasonal agricultural employment who is not required to be absent from his or her permanent place of residence overnight.

~~((72))~~ (73) "Shelter costs" means:

(a) Rent or mortgage payments plus taxes on a dwelling and property;

(b) Insurance on the structure only, unless the costs for insuring the structure and its contents cannot be separated;

(c) Assessments;

(d) Utility costs such as heat and cooking fuel, cooling and electricity, water, garbage, and sewage disposal;

(e) Standard basic telephone allowance;

(f) Initial installation fees for utility services; and

(g) Continuing charges leading to the ownership of the shelter such as loan repayments for the purchase of a mobile home including interest on such payments.

~~((73))~~ (74) "Shelter for battered women and children" means a public or private nonprofit residential facility serving battered women and children.

~~((74))~~ (75) "Sibling" means a natural, adopted, half brother or stepbrother or natural, adopted, half sister or stepsister.

~~((75))~~ (76) "Sponsor" means a person who executed an affidavit of support or similar agreement on behalf of an alien as a condition of the alien's admission into the United States as a permanent resident.

~~((76))~~ (77) "Sponsored alien" means an alien lawfully admitted for permanent residence.

~~((77))~~ (78) "Spouse" means:

(a) Married under applicable state law; or

(b) Living with another person and holding themselves out to the community as husband and wife by representing themselves as such to relatives, friends, neighbors, or trades people.

~~((78))~~ (79) "Striker" means any person:

(a) Involved in a strike or concerted stoppage of work by employees including stoppage due to expiration of a collective bargaining agreement; or

(b) Involved in any concerted slowdown or other concerted interruption of operations by employees.

~~((79))~~ (80) "Student" means any person:

(a) ~~((Between))~~ At least eighteen ~~((and))~~ but less than sixty years of age,

(b) Physically and mentally fit for employment, and

(c) Enrolled at least half time in an institution of higher education.

~~((80))~~ (81) "Systematic alien verification for entitlements (SAVE)" means the immigration and naturalization service (INS) program whereby the department may verify the validity of documents provided by aliens applying for food stamp benefits by obtaining information from a central data file.

~~((81))~~ (82) "Thrifty food plan" means the diet required to feed a family of four as determined by the United States Department of Agriculture. The cost of the diet is the basis for all allotments, taking into account the household size adjustments based on a scale.

~~((82))~~ (83) "Under parental control" means living with the parent or any adult other than the parent. A person is not under parental control when that person is:

(a) Receiving an ~~((aid to families with dependent children-))~~ AFDC ~~((-))~~ grant as ~~((his or her))~~ the person's own payee;

(b) Receiving, as the person's own payee, gross income equal to, or exceeding, the AFDC grant payment standard as described under WAC 388-29-100(3)(b); or

(c) Married.

~~((83))~~ (84) "Vehicle" means any device for carrying or conveying persons and objects, including travel by land, water, or air.

~~((84))~~ (85) "Vendor payment" means money payments not owed or payable directly to a household, but paid to a third party for a household expense, such as:

(a) A payment made in money on behalf of a household whenever another person or organization makes a direct payment to either the household's creditors or a person or organization providing a service to the household; or

(b) Rent or mortgage payments, made to landlords or mortgagees by the department of housing and urban development or by state or local housing authorities.

~~((85))~~ (86) "Verification" means the use of documentation or third-party information to establish the accuracy of statements on the application. Sources of verification shall be documentary evidence, collateral contacts, or a home visit.

WSR 90-12-058
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3016—Filed May 31, 1990, 12:24 p.m.]

Date of Adoption: May 31, 1990.

Purpose: To clarify when food stamp households shall be considered categorically eligible.

Citation of Existing Rules Affected by this Order: Amending WAC 388-49-180 Categorical eligibility.

Statutory Authority for Adoption: RCW 74.04.510.

Pursuant to notice filed as WSR 90-09-086 on April 18, 1990.

Effective Date of Rule: Thirty-one days after filing.

May 31, 1990

Leslie F. James, Director
 Administrative Services

AMENDATORY SECTION (Amending Order 2575, filed 12/31/87)

WAC 388-49-180 CATEGORICAL ELIGIBILITY. (1) The department shall determine households categorically eligible for food stamps when all household

members are authorized to receive AFDC and/or SSI benefits, except when:

- (a) The entire household is:
 - (i) Institutionalized;
 - (ii) Disqualified for any reason from receiving food stamps; or
 - (iii) Terminated due to failure to comply with monthly reporting requirements under WAC 388-49-590.
- (b) Any member is disqualified for an intentional program violation; or
- (c) The head of the household is disqualified for failure to comply with work registration requirements.

(2) The department shall exempt a categorically eligible household from the following food stamp eligibility requirements:

- (a) Resources,
 - (b) Gross and net income standards,
 - (c) Social Security number requirement,
 - (d) Sponsored alien requirement, and
 - (e) Residency requirement.
- ~~((3) A household shall not be categorically eligible when:~~
- ~~(a) An entire household is institutionalized, or~~
 - ~~(b) Any household member is disqualified from the food stamp program for any reason.))~~

WSR 90-12-059
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3017—Filed May 31, 1990, 12:25 p.m.]

Date of Adoption: May 31, 1990.

Purpose: To control caseload growth and FIP expenditures.

Citation of Existing Rules Affected by this Order: Amending chapter 388-77 WAC, Family independence program.

Statutory Authority for Adoption: SSB 6624, Laws of 1990.

Pursuant to notice filed as WSR 90-09-085 on April 18, 1990.

Changes Other than Editing from Proposed to Adopted Version: WAC 388-77-200(1), change the eighteen to seventeen.

Effective Date of Rule: Thirty-one days after filing.

May 31, 1990
 Leslie F. James, Director
 Administrative Services

AMENDATORY SECTION (Amending Order 2757, filed 1/13/89)

WAC 388-77-005 GENERAL PROVISIONS. (1) The department of social and health services adopts the following rules under authority of chapter 74.21 RCW.

(2) In those areas not expressly covered by chapter 388-77 WAC, it is the intent of the department that applicants/enrollees of the family independence program

(FIP) be subject to and covered by the Washington Administrative Code applicable to:

- (a) The aid to families with dependent children program (AFDC) for the Title IV-A portion of FIP; and
- (b) The food stamp program for the food assistance portion of FIP.

(3) The department shall apply fair hearing rules in chapter 388-08 WAC to all decisions related to eligibility, participation, and work and training activities for the Title IV-A portion of FIP. The department shall follow the food stamp program for hearings related to the food assistance portion of FIP.

(4) The department shall designate those geographic areas where FIP is to be implemented.

(5) The department shall enroll eligible households residing in a designated FIP geographic area at application ~~((for applications submitted after June 30)), ((1988))~~ at the annual grant face-to-face eligibility review, and at such other times as designated by the department, except:

- (a) An applicant who received AFDC within thirty days before application shall not be converted to FIP. If eligible, the household shall be authorized AFDC;
- (b) AFDC ((cases which)) recipients who lose their exemption from participation in the Washington employment opportunities program (OPPORTUNITIES) may convert to FIP as an alternative to being referred to OPPORTUNITIES;

~~((b))~~ (c) AFDC recipients shall, at the annual face-to-face review, have the option to enroll in FIP or remain on AFDC.

(6) FIP enrollees transferring, or who transferred, from a FIP to a non-FIP geographic area shall have the option to retain their FIP status ~~((if))~~ when the following conditions exist:

- (a) There is a FIP community services office (CSO) in the county to which they ((transferred:)) transfer; and
- (b) The enrollee moved to a non-FIP geographic area before May 1, 1990, and the enrollee is participating in approved training or is employed; or
- (c) The enrollee moves to a non-FIP geographic area after May 1, 1990, and the move is to maintain employment or to accept offered employment and the enrollee is participating in such employment; and
- (d) Such enrollees ((wishing to remain)) remaining in FIP shall report to, have their eligibility maintained by, and services provided by(;) the FIP CSO in the county to which they ((transferred)) transfer.

(7) Before transferring existing cases from FIP for failing to meet the conditions of subsection (6) of this section, the department shall provide ten days advance notice of the transfer.

(8) ~~((Prior to))~~ Before denial or termination of FIP benefits, the department shall determine eligibility for other financial assistance, medical assistance, and food stamps.

NEW SECTION

WAC 388-77-006 FREEZING ENROLLMENTS. (1) Notwithstanding WAC 388-77-005(5), effective May 1, 1990, the department shall temporarily

stop FIP enrollments in all FIP community services offices (CSO) except the treatment sites for:

(a) Applications filed on or after the date enrollments stop. For the purposes of this subsection, a re-application for assistance made following a break in assistance of one calendar month or more shall be considered an application;

(b) Conversions, if the review month for the annual grant face-to-face review is during or after the month in which enrollments stop;

(c) Conversions for households that lose exemption from participation in OPPORTUNITIES and the exemption is lost during or after the month in which enrollments stop;

(d) Voluntary conversions, if the request was filed on or after the date enrollments stop; or

(e) Transfers, where the household made the transfer request on or after the date enrollments stop. FIP enrollees transferring to FIP nontreatment sites shall not be subject to the enrollment freeze.

(2) The department shall treat FIP applications, made in a nontreatment site after enrollments stop, as a request for AFDC.

(3) The department shall exempt the treatment sites from the enrollment freeze. For the purposes of this section, treatment site shall mean those sites chosen in accordance with federal standards for data collection by the independent evaluator contracted for under RCW 74.21.140(3). The treatment sites include the following CSOs:

- (a) Moses Lake; Othello; Ephrata;
- (b) Spokane North;
- (c) Everett; Skykomish Valley;
- (d) Burien; West Seattle;
- (e) White Salmon; Stevenson; and Goldendale.

(4) The department shall stop enrollments in the nontreatment sites including the following CSOs:

- (a) Spokane East;
- (b) Spokane Southwest;
- (c) Sunnyside;
- (d) Toppenish;
- (e) Smokey Point;
- (f) Capitol Hill;
- (g) King Eastside;
- (h) Pierce North;
- (i) Puyallup; and
- (j) Port Angeles.

AMENDATORY SECTION (Amending Order 2630, filed 6/1/88)

WAC 388-77-200 FAMILY INDEPENDENCE PROGRAM (FIP)—SUMMARY OF TITLE IV-A ELIGIBILITY CONDITIONS. The department shall grant FIP benefits on behalf of a needy child:

(1) Who is ~~((under the age of eighteen))~~ seventeen years of age or younger:

(a) FIP benefits may be granted to a pregnant woman in any trimester with no other children;

(b) FIP benefits shall continue through the month the eligible child reaches the maximum age.

(2) Who is a resident of the state of Washington, or who lives with a parent or other relative who is a resident of the state of Washington;

(3) Who is living in the home of a relative of specified degree, except for a temporary period, or who, as a result of judicial action, was removed from ~~((his or her))~~ the home and placed in foster care, and who meets the conditions specified ~~((m))~~ under WAC 388-24-207;

(4) Who, if living with a nonparent caretaker relative, the nonparent caretaker relative is included in the Title IV-A benefit unit with the child. Households where the nonparent caretaker relative is not included in the Title IV-A benefit unit shall be ineligible for FIP except when the caretaker relative is excluded from the Title IV-A benefits unit because of sanction for noncooperation with program requirements. Before terminating benefits for existing FIP households failing to meet the conditions of this subsection, the department shall provide ten days advance notice.

(5) Who, if living with both parents when neither is incapacitated, meets the conditions in WAC 388-77-240;

~~((5))~~ (6) Who is a citizen or an alien lawfully admitted for permanent residence or otherwise permanently residing in the United States;

~~((6))~~ (7) Whose parent or stepparent has not transferred property contrary to law or WAC 388-24-457 through 388-24-465;

~~((7))~~ (8) Who is in financial need according to WAC 388-77-500;

~~((8))~~ (9) Who is a child eighteen years of age and under nineteen years of age who is a full-time student reasonably expected to complete a program of secondary school, or the equivalent level of vocational or technical training, before the end of the month when the child becomes nineteen years of age. The school or training requirement shall not apply to a parent eighteen years of age and under nineteen years of age.

~~((9))~~ (10) For persons to be included in the FIP assistance unit, see WAC 388-77-210.

NEW SECTION

WAC 388-77-256 EMPLOYABILITY RE-ASSESSMENT. (1) The department and the employment security department (ESD) shall conduct an employability re-assessment for an enrollee employed full time to determine if the employment will lead to self-sufficiency within one year:

(a) The re-assessment shall apply only for a household with earnings less than one hundred thirty-five percent of the benchmark plus applicable incentives;

(b) The department shall identify such household at the annual grant face-to-face review;

(c) For the purposes of this subsection, full-time employment shall mean the household received a full-time incentive in each of the four months immediately preceding the month in which the annual grant face-to-face review is due.

(2) Based on the employability re-assessment, the department shall suspend employability plan approval if the enrollee is unlikely to become self-sufficient within one year as a result of the employment;

(a) The enrollee shall be offered the opportunity and be encouraged to participate in the employability re-assessment;

(b) The department and ESD shall jointly determine if the employment will likely lead to self-sufficiency within one year;

(c) The department and the ESD shall consider the following in determining the likelihood of the enrollee becoming self-sufficient as a result of the employment:

(i) The enrollee's previous achievements, education, training, and employment;

(ii) The advancement opportunities and the income potential of the current position/occupation;

(iii) Current labor market conditions;

(iv) The availability of other employment in the enrollee's labor market with income high enough to lead to self-sufficiency.

(d) The department and ESD shall document all decisions where it is determined the employment is not likely to lead to self-sufficiency.

(3) An enrollee continuing employment for more than eighteen months under a suspended plan shall be ineligible for FIP incentives, supportive services, and child care. The department shall so notify the enrollee:

(a) At the time the employability plan is suspended; and

(b) Six months before FIP incentives and child care are suspended.

(4) The department shall lift the sanction of incentives, supportive services, and child care benefits for working under a suspended plan when the:

(a) Employability plan is approved; or

(b) Household is no longer employed.

(5) The department and ESD shall periodically offer services to an enrollee with suspended employability plans to assist the enrollee in attaining self-sufficiency.

WSR 90-12-060
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3018—Filed May 31, 1990, 12:26 p.m.]

Date of Adoption: May 31, 1990.

Purpose: To incorporate the changes caused by the Family Support Act of 1989; to eliminate duplicate WAC material; and to clarify eligibility for certain family groups in WAC 388-83-130.

Citation of Existing Rules Affected by this Order: WAC 388-83-028 Eligibility factors for special categories; 388-83-029 Medical extensions; and 388-83-130 Eligibility—Special situations.

Statutory Authority for Adoption: RCW 74.08.090.

Pursuant to notice filed as WSR 90-08-048 on March 30, 1990.

Changes Other than Editing from Proposed to Adopted Version: In WAC 388-83-029 (5)(a)(iii) and (10)(a)(iii) the words "unless good cause is established" is added to clarify that each reporting time period has a

good cause provision for late filing; a new subsection (12) is added to assure that family independence program (FIP) enrollees receive no less benefits under the provisions of WAC 388-83-029 than they would have received under FIP in January 1988; in WAC 388-83-130, the word FIP is being retained in subsection (2)(a). In subsection (2)(b) FIP is added. These changes are to assure a FIP client is not disadvantaged by being in FIP rather than receiving aid to families with dependent children; and the language in subsections (5) and (6) is retained in new subsections (3) and (4). The principal reasons for adopting the changes are as follows: These changes were made based on comments from Evergreen Legal Services and Federal Interpretations received.

Effective Date of Rule: Thirty-one days after filing.

May 31, 1990

Leslie F. James, Director
Administrative Services

NEW SECTION

WAC 388-83-029 MEDICAL EXTENSIONS. (1) See WAC 388-83-031 for extensions for a pregnant woman.

(2) A family unit ineligible for AFDC or FIP cash assistance as a result, wholly or partly, of the collection or increased collection of child or spousal support shall be eligible for medical assistance for four months beginning with the month of ineligibility provided the family unit:

(a) Is eligible for and received AFDC or FIP cash assistance in three or more of the six months immediately preceding the month of ineligibility; and

(b) Became ineligible for AFDC or FIP on or after August 16, 1984.

(3) Beginning with the month of ineligibility, an AFDC family unit becoming ineligible solely because of increased income from or increased hours of employment shall remain eligible for medical assistance (MA):

(a) For four calendar months, if ineligible before April 1, 1990;

(b) When the family receives AFDC or FIP in three or more of the six months immediately preceding the month of ineligibility; and

(c) If a family member continues employment.

(4) Beginning with April 1, 1990, an AFDC family unit which becomes ineligible because of income from or hours of employment of the caretaker relative or the loss of the thirty dollars plus one-third disregard, or the thirty dollar exemption, shall remain eligible for six calendar months when:

(a) The family receives AFDC or FIP in three or more of the six months immediately preceding the month of ineligibility; and

(b) The family unit includes a child.

(5) The AFDC family unit, under subsection (4) of this section, shall be:

(a) Eligible for six additional calendar months of medical assistance provided the family unit:

(i) Continues to meet the criteria under subsection (4)(b) of this section;

(ii) Receives medical assistance for the entire six-month extension under subsection (4) of this section; and

(iii) Reports any family earnings and child care costs related to the employment of the caretaker relative, for the immediately preceding three-month period by the twenty-first day of the fourth month of the initial extension, unless good cause is established.

(b) Terminated from the six additional calendar months of medical assistance when the:

(i) Family's average gross income, less the costs of child care related to the employment of the caretaker relative, exceeds one hundred eighty-five percent of the Federal Poverty Level when averaged over the immediately preceding three-month period;

(ii) Family fails to report any family earnings and cost of child care related to the employment of the caretaker relative for the immediately preceding three-month period by the twenty-first day of the first and fourth months of the additional extension period, unless good cause is established; or

(iii) Caretaker relative has no earnings in one or more of the previous three months, unless such lack of earnings is due to a good cause.

(6) Beginning with the month of ineligibility, an AFDC family unit becoming ineligible for AFDC cash assistance solely because of the loss of the thirty dollars plus one-third disregard, or the thirty-dollar income exemption, shall remain categorically eligible for MA for nine calendar months, if ineligible before April 1, 1990.

(7) A family unit suspended from FIP cash assistance because of increased earned income shall be eligible for extended medical assistance. This period of eligibility shall not exceed twelve months as determined under WAC 388-77-737.

(8) Beginning with the month of ineligibility, a FIP family unit becoming ineligible solely because of hours of employment shall remain eligible for MA:

(a) For four calendar months, if ineligible before April 1, 1990;

(b) When the family receives FIP or AFDC in three or more of the six months immediately preceding the month of ineligibility; and

(c) If a family member continues employment.

(9) Beginning with the month of ineligibility, a FIP family unit becoming ineligible solely because of hours of the caretaker relative's employment shall remain eligible for MA for six calendar months, if ineligible after March 31, 1990, provided:

(a) The family receives FIP or AFDC in three or more of the six months immediately preceding the month of ineligibility; and

(b) The family unit includes a child.

(10) The FIP family unit, under subsection (9) of this section, shall be:

(a) Eligible for six additional calendar months of extended medical assistance provided the family unit:

(i) Continues meeting the criteria under subsection (9)(b) of this section;

(ii) Receives medical assistance for the entire six-month extension under section (9) of this section; and

(iii) Reports any family earnings and child care costs related to the employment of the caretaker relative for the immediately preceding three-month period by the

twenty-first day of the fourth month of the initial extension, unless good cause is established.

(b) Terminated from the six additional calendar months of extended medical assistance when the:

(i) Family's average gross income, less the cost of the child care related to the employment of the caretaker relative, exceeds one hundred eighty-five percent of the Federal Poverty Level when averaged over the immediately preceding three-month period; or

(ii) Family fails to report any family earnings and child care costs related to the employment of the caretaker relative for the immediately preceding three-month period by the twenty-first day of the first and fourth months of the additional extension period, unless good cause is established; or

(iii) Caretaker relative has no earnings in one or more of the previous three months, unless lack of earnings is due to good cause.

(11) An AFDC or FIP family member is not eligible for the extensions in subsections (4), (5), (9), or (10) of this section when the department finds the person ineligible for AFDC or FIP in any of the last six months before the extension because of fraud.

(12) A person, found ineligible for AFDC or FIP in any of the last six months before the extension because of fraud, who becomes ineligible for a FIP grant due to hours of employment is eligible for a four-month medical extension under rules in effect before April 1, 1990.

AMENDATORY SECTION (Amending Order 2672, filed 8/17/88)

WAC 388-83-130 ELIGIBILITY—SPECIAL SITUATIONS. (1) The department shall consider parent's income available whether or not actually contributed, when determining eligibility of a person under eighteen years of age residing in the same family unit with parents.

(2) The department shall not allow the AFDC earned income exemption of thirty dollars plus one-third of remainder to clients ((initially)):

(a) Applying solely for medical assistance((-

~~(3) The department shall allow the thirty dollars plus one-third disregard)), except for families applying for medical assistance who received AFDC or FIP cash assistance in any of the four preceding months((-); and~~

(b) After ((receiving)) the client receives the thirty dollars plus one-third income disregard for a maximum of four consecutive months((-the)). A client is not eligible for the disregard until the client ((has been off)) does not receive AFDC or FIP cash assistance for twelve consecutive months.

~~((4) AFDC or FIP children sixteen or seventeen years of age terminated from AFDC or FIP cash assistance solely because they have ceased to attend school and have refused to register for WIN are eligible for Medicaid on the same basis as a dependent child.~~

~~(5))~~ (3) For family units determined ineligible for AFDC or FIP cash assistance solely due to the requirements of WAC 388-24-050 or 388-77-210 that certain ((parents and)) siblings be included in the assistance unit, at the applicant's option, such individuals and their income may be excluded from the assistance unit when

determining eligibility of the remaining assistance unit members for categorically needy medical assistance.

~~((6))~~ (4) For family units determined ineligible for AFDC or FIP financial assistance solely due to the requirements of WAC 388-28-500(4) or 388-77-285 that income of the nonapplying parents of a minor parent be considered available to the assistance unit of the minor parent and such minor's child or children, such income shall be disregarded when determining eligibility of such minor's child or children.

(5) The department shall consider AFDC children sixteen and seventeen years of age, terminated from cash assistance, as eligible for Medicaid on the same basis as a dependent child when termination was solely due to the children:

(a) Ceasing to attend school; and

(b) Refusing to participate in the OPPORTUNITIES program.

(6) The department shall consider a person eligible for Medicaid when the person is denied AFDC cash assistance solely because:

(a) Of income and resources deemed available from the following person who is not a member of the AFDC unit, unless actually available to the assistance unit:

(i) Stepparent who is not legally liable for support of stepchildren;

(ii) Grandparent;

(iii) Legal guardian who is not a parent;

(iv) Alien sponsor; or

(v) Sibling.

(b) Of counting a sibling's income or resources or both to determine AFDC cash assistance when the sibling is residing in the same residence, unless the sibling actually contributes or makes available the income or resources or both to the AFDC assistance unit; and

(c) After July 1, 1989, a member of the family transferred a resource without receiving adequate compensation. If the family member is institutionalized, refer to chapter 388-95 WAC.

(7) The department shall consider a person eligible for Medicaid when the person is denied SSI cash assistance solely because of income and resources deemed available from an alien sponsor.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-83-028 **ELIGIBILITY FACTORS FOR SPECIAL CATEGORIES.**

**WSR 90-12-061
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)**

[Order 3019—Filed May 31, 1990, 12:27 p.m.]

Date of Adoption: May 31, 1990.

Purpose: To add the 1989 federal law changes to the early periodic screening diagnosis and treatment program.

Citation of Existing Rules Affected by this Order: Amending WAC 388-86-027 Early and periodic screening, diagnosis and treatment of eligible individuals twenty years of age and younger.

Statutory Authority for Adoption: RCW 74.08.090.

Pursuant to notice filed as WSR 90-08-037 on March 30, 1990.

Changes Other than Editing from Proposed to Adopted Version: In subsection (4)(e), the word "or" is changed to "and." This change is to clarify that a recipient is eligible for all of these services.

Effective Date of Rule: Thirty-one days after filing.

May 31, 1990

Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 1725, filed 12/3/81)

WAC 388-86-027 **EARLY AND PERIODIC SCREENING, DIAGNOSIS AND TREATMENT OF ELIGIBLE INDIVIDUALS (~~UNDER TWENTY-ONE~~) TWENTY YEARS OF AGE AND YOUNGER.** (1) To the extent provided under these rules, the department (~~will~~) shall make available to (~~categorically needy individuals under twenty-one~~) Medicaid recipients twenty years of age and younger, early and periodic screening and diagnosis (~~to ascertain their physical and/or mental defects and will authorize treatment to correct or ameliorate the defects and chronic conditions discovered thereby. There will be freedom of choice in obtaining screening services~~) and treatment (**EPSDT**).

(2) Early and periodic screening and diagnosis shall be provided at intervals:

(a) Meeting reasonable standards of dental and medical practice as determined by the division of medical assistance; and

(b) When indicated as medically necessary to determine the existence of a suspected physical or mental illness or condition.

(3) In obtaining EPSDT services, the recipient shall be free to choose from (~~among~~) participating providers.

(4) The following services are included in the program:

(a) Screening by providers of screening services (~~who have been~~) authorized by the division of medical assistance to provide (~~an unclothed physical examination including at least~~) screening. The screening services shall, at a minimum, include:

(i) ~~((Medical))~~ A comprehensive health and developmental history;

(ii) An assessment of physical ~~((growth))~~ and mental health development and nutritional status;

(iii) ~~((Developmental assessment (physical and mental))~~) A comprehensive unclothed physical exam;

(iv) ~~((Inspection for obvious defects))~~ Appropriate immunizations according to age and health history;

(v) ~~((Inspection of ears, nose, mouth, teeth and throat))~~ Laboratory tests, including lead blood level assessment appropriate for age and risk factors; and

(vi) ~~((Visual screening; auditory testing~~

(vii) Screening for cardiac abnormalities

(viii) Screening for anemia

(ix) Urine screening

~~(x) Blood pressure (children twelve years of age or older)~~

~~(xi) Assessment of immunization status and updating immunization~~

~~(xii) Referral to a dentist for examination, diagnosis and treatment for children three years of age and over))~~ Health education, including anticipatory guidance.

(b) ~~((When indicated by screening findings, providers of screening services will provide, or refer eligible children for more definitive diagnostic study and/or treatment:))~~ Vision services which shall, at a minimum, include diagnosis and treatment for defects in vision, including eyeglasses;

(c) ~~((Treatment shall be limited to the same duration and scope of care available to other recipients of medical assistance, except regardless of any such limitations, treatment for visual and hearing defects including eyeglasses and hearing aids, and at least such dental care as is necessary for relief of pain and infection and for restoration of teeth and maintenance of dental health shall be provided, subject to such utilization controls as may be imposed by the department))~~ Dental services which shall, at a minimum, include relief of pain and infections, restoration of teeth, and dental health maintenance;

(d) Hearing services which shall, at a minimum, include diagnosis and treatment for defects in hearing, including hearing aids; and

(e) Other medically necessary health care, diagnostic services, treatment, and other measures provided under Medicaid program, to correct or ameliorate defects and physical and mental illnesses and conditions the screening services discover. In addition, the department shall provide any of the following services, provided the screening services provider determines the necessity for such services during an EPSDT screening process:

(i) Occupational therapy;

(ii) Nutritional counseling; and

(iii) Chiropractic services.

(5) EPSDT services are subject to utilization controls as the department may impose.

(6) See WAC 388-86-005 and 388-86-020 for limitations of the dental program, WAC 388-86-030 for eyeglasses and examinations, and WAC 388-86-040 for management of hearing defects.

~~((2) EPSDT is available to all individuals under twenty-one years of age who are determined to be categorically needy:))~~

WSR 90-12-062
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3020—Filed May 31, 1990, 12:28 p.m.]

Date of Adoption: May 31, 1990.

Purpose: To make the definition of institutionalization consistent in the medical WAC; and adds transfer rules for institutionalized persons.

Citation of Existing Rules Affected by this Order: Amending WAC 388-95-320 Eligibility determination—Institutional.

Statutory Authority for Adoption: RCW 74.08.090.

Pursuant to notice filed as WSR 90-09-041 on April 12, 1990.

Effective Date of Rule: Thirty-one days after filing.

May 31, 1990

Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 2351, filed 3/20/86)

WAC 388-95-320 ELIGIBILITY DETERMINATION—INSTITUTIONAL. (1) Individuals are considered institutionalized if they reside or are expected to reside in a medical facility ((at least a full calendar month)) for thirty consecutive days.

(a) Title XVI-related individuals in medical facilities shall have their eligibility determined by comparing their gross income to three hundred percent of the SSI federal benefit amount payable under section 1611 (b)(1) of the Social Security Act to an individual residing in ((his/her)) their own home who has no income or resources (SSI cap).

(b) If gross income is greater than three hundred percent of SSI cap, the individual's eligibility ((must)) shall be determined under the limited casualty program—medically needy in chapter 388-99 WAC.

(c) Allocation of recipient income is defined in WAC 388-95-360.

(d) ~~((For))~~ Consideration of resources ((see)) is described under WAC 388-95-380 and 388-95-390. ((The home becomes a resource when it is determined no longer the principal place of residence:))

(e) Transferring of resources is described under WAC 388-95-395.

(2) Individuals ~~((who))~~ residing or are expected to reside in a medical facility less than ((a full calendar month)) thirty consecutive days shall have their eligibility determined as for a noninstitutionalized person.

(3) Individuals ~~((under age eighteen who reside))~~ seventeen years of age or under residing in an approved inpatient psychiatric facility shall have their eligibility determined as follows:

(a) If the individual's absence from the home is temporary, the income and resources of the parents are considered ~~((to be))~~ available whether ~~((or not))~~ income and resources are actually contributed. Absence is considered ~~((to be))~~ temporary if the individual is placed in an acute care facility and return to the home is expected within ninety days.

(b) If the individual's absence from the home is other than temporary, the income and resources of the parents are not considered available unless income and resources are actually contributed. Absence is considered other than temporary if the individual is:

(i) Placed in an acute care facility and return to the home is not expected within ninety days, i.e., following discharge, placement will be other than in the home; or

(ii) Placed in an approved inpatient psychiatric long-term care facility.

(4) For individuals ~~((age))~~ eighteen through ((age)) twenty((, who reside)) years of age residing in an approved inpatient psychiatric facility, the department shall not consider the income and resources of the parents ((are not considered)) available unless the income and resources are actually contributed.

WSR 90-12-063
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3021—Filed May 31, 1990, 12:29 p.m.]

Date of Adoption: May 31, 1990.

Purpose: To incorporate current practices in WAC.

Citation of Existing Rules Affected by this Order:
 Amending WAC 388-81-043 Dispute conference—Contractor/provider.

Statutory Authority for Adoption: RCW 74.08.090.

Pursuant to notice filed as WSR 90-09-082 on April 18, 1990.

Effective Date of Rule: Thirty-one days after filing.

May 31, 1990
 Leslie F. James, Director
 Administrative Services

AMENDATORY SECTION (Amending Order 2758, filed 2/13/89)

WAC 388-81-043 DISPUTE CONFERENCE—CONTRACTOR/PROVIDER. (1) Right to an administrative appeal. Any enrolled contractor/provider of medical services, except ~~((for))~~ nursing homes ~~((which are))~~ governed by WAC 388-96-904, shall have a right to an administrative appeal ~~((in the following situations))~~ when the department:

(a) ~~((When the department))~~ Finds a contractor/provider liable for receipt of excess payments ~~((pursuant to))~~ under RCW 74.09.220 or otherwise served with notice that repayment of excess benefits is due under the statute;

(b) ~~((When the department))~~ Changes the contractor/provider reimbursement rate and the contractor/provider disagrees with the change; and

(c) ~~((When the department))~~ Initiates contract action, such as termination, with which the contractor/provider disagrees.

(2) First level of appeal. A contractor/provider wishing to contest an action described in subsection (1) of this section files an appeal with the appropriate program or audit manager.

(a) Audit disputes. When the department finds a hospital contractor/provider liable for receipt of excess payments, the contractor/provider shall appeal such findings to the office of nursing home audit, administrative services. All other medical service contractors/providers shall appeal to the office of operations review, administrative services.

(i) Unless otherwise specified, the audited contractor/provider shall submit such an appeal within forty-five days after receipt of the draft audit report. If the audited contractor/provider does not submit the appeal timely, the department shall not consider ~~((it))~~ the appeal and the contractor/provider forfeits any right~~((s))~~ to a dispute conference.

(ii) The audited contractor/provider's appeal shall include a statement specifying which ~~((portion or))~~ portions of the audit findings are ~~((being))~~ disputed, with supporting justification. Administrative services may request additional documentation to complete their review.

(iii) Administrative services shall issue a decision or request additional information within ninety days of receipt of the appeal. When additional information is necessary, administrative services shall issue a decision within sixty days of receipt of complete information. Publication of the final audit report and identification of a sum certain due the department shall constitute the department's final audit position.

(iv) Administrative services may grant discretionary extensions of time to the audited contractor/provider~~((s))~~. The audited contractor/provider~~((s))~~ shall request an extension within the forty-five-day period referenced under subsection (2)(a)(i) of this section.

(b) Rate disputes. A contractor/provider may appeal its rates by submitting a written notice of appeal to the rate analysis section, division of medical assistance (DMA).

(i) Unless the written rate notification ~~((of action))~~ specifies otherwise, the contractor/provider shall file ~~((an))~~ a rate appeal requesting retroactive rate adjustments within ~~((thirty))~~ sixty days after being notified of an action or determination ~~((it))~~ the contractor/provider wishes to challenge. ~~((If the contractor/provider does not appeal timely, the department shall not consider the appeal and the contractor/provider forfeits the right to a dispute conference))~~ The notification date of an action or determination is the date of the written rate notification letter. A contractor/provider rate adjustment appeal, filed after the sixty-day period described in this subsection shall not be considered for retroactive adjustments.

(ii) The appeal shall include a statement of the issue being appealed, supporting documentation, and a request

for recalculation of the rate. DMA may request additional documentation to complete the review. DMA may conduct an audit of the documentation provided in order to complete the review.

(iii) When any portion of a rate is appealed, DMA ~~((shall))~~ may review all components of the reimbursement rate.

(iv) DMA shall issue a decision or request additional information within sixty days of the receipt of the rate appeal request. When additional information is necessary, the contractor/provider shall have forty-five days to submit the information. DMA shall issue a decision within thirty days of receipt of complete information.

(v) Unless the written rate notification ~~((of action))~~ specifies otherwise, ~~((appeals resulting in rate))~~ increases in rates resulting from an appeal, filed within sixty days after the written rate notification letter that the contractor/provider is challenging, shall be effective ((on)) retroactively to the effective date ((DMA received the appeal)) of the rate change as specified in the notification letter. Increases in rates, resulting from a rate appeal filed after the sixty-day period described in subsection (2)(b)(i) of this section, shall be effective the date the appeal is filed with DMA. Appeals resulting in rate decreases shall be effective on the ((notification)) date ((to the contractor/provider)) specified in the appeal decision notification. The effective date shall not be before the date of the appeal decision notification. Rate changes subject to the provisions of fraudulent practices under RCW 74.09.210 are exempt from these provisions.

(vi) DMA may grant extensions of time at their discretion if requested within the ~~((thirty))~~ sixty-day period referenced under subsection (2)(b)(i) of this section.

(c) Contract disputes. The contractor/provider may appeal contract action involving termination or nonrenewal, to the medical director, DMA.

(i) Unless otherwise specified, the contractor/provider shall submit such an appeal within thirty days of the department's notification of contract action ~~((by the department))~~. If the contractor/provider does not appeal timely, the department shall not consider the appeal and the contractor/provider forfeits the right to a dispute conference.

(ii) The appeal shall include a statement of the ~~((action or))~~ actions ~~((being))~~ appealed and supporting justification.

(iii) DMA shall issue a decision or request additional information within sixty days of receipt of the appeal. When additional information is necessary, the contractor/provider shall have forty-five days to submit the information. DMA shall issue a decision within thirty days of receipt of complete information.

(iv) DMA may grant extensions of time at their discretion if requested within the thirty-day period referenced under subsection (2)(c)(i) of this section.

(3) Second level of appeal. If the contractor/provider disagrees with an adverse audit, rate, or contract review decision, ~~((it))~~ the contractor/provider may file a request for a dispute conference with the director, DMA. A dispute conference is defined as an informal administrative hearing for the purpose of resolving contractor/

provider disagreements with any of the department actions, described under subsection (1)(a), (b), and (c) of this section ~~((which could))~~, not ~~((be))~~ resolved at the first level of appeal.

(a) A contractor/provider shall file a request for a dispute conference within thirty days following receipt of the adverse review decision. The department shall not consider dispute conference requests submitted after thirty days.

(b) DMA shall conduct the dispute conference within ninety days of the receipt of request.

(c) The director, DMA, or the director's designee shall chair the conference when issues regarding medical policy, program policy, or program regulation are in dispute. A contracts officer, office of ~~((contracts management))~~ vendor services, shall chair the conference if contract compliance issues are disputed. The director, DMA, shall determine who chairs the dispute conference.

(d) The conference chairperson shall issue the final decision within thirty days of the conference.

(e) The director, DMA, may grant extensions of time for extenuating circumstances.

(f) The effective date of dispute conference decisions regarding rate changes shall be the same as specified under subsection (2)(b)(v) of this section.

(g) The dispute conference shall be the final level of administrative appeal within the department.

(4) DMA shall construe failure on the part of the contractor/provider to attempt to resolve disputed issues as provided in this section as an abandonment of the dispute.

WSR 90-12-064

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 90-40—Filed May 31, 1990, 2:10 p.m.]

Date of Adoption: May 30, 1990.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order:
Amending WAC 220-56-190 and 220-57-425.

Statutory Authority for Adoption: RCW 75.08.080.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Spring chinook stocks have not returned in sufficient numbers and the season opener must be delayed until these fish move out of the area. A small number of harvestable summer/fall chinook are available for harvest. This regulation is consistent with the agreed to management plans with the Puget Sound tribes and the Pacific Fisheries Management Council.

Effective Date of Rule: Immediately.

May 30, 1990
Joseph R. Blum
Director

WSR 90-12-065
PREPROPOSAL COMMENTS
DEPARTMENT OF HEALTH
(Optometry Board)
[Filed May 31, 1990, 2:46 p.m.]

NEW SECTION

WAC 220-56-19000R SALTWATER SEASONS AND BAG LIMITS—SALMON Notwithstanding the provisions of WAC 220-56-190:

(1) Effective June 16, 1990, until further notice, it is unlawful to fish for or possess salmon for personal use from Marine Code Areas 8-1, except: open Saturday through Thursday, weekly. Special daily bag limit: 2 salmon

(2) Effective July 1, 1990, until further notice, it is unlawful to fish for or possess salmon for personal use from Marine Code Areas 5, and 6, except: open Saturday through Thursday, weekly. Special daily bag limit: 2 salmon

(3) Effective July 1, 1990, until further notice, it is lawful to fish for or possess salmon for personal use in Marine Code Area 7, seven days a week. Special daily bag limit: 2 salmon

(4) Effective August 1, 1990, until further notice, it is unlawful to fish for or possess salmon for personal use from Marine Code Areas 8-2, and 9, except: open Saturday through Thursday, weekly. Special daily bag limit: 2 salmon

NEW SECTION

WAC 220-57-42500T SKAGIT RIVER Notwithstanding the provisions of WAC 220-57-425, effective immediately it is unlawful to fish for or possess salmon taken for personal use from the waters of the Skagit River except as provided for in this section:

The following waters are open July 1, 1990 until further notice:

(1) Downstream from the mouth of the Cascade River to the mouth of the Baker River: Bag Limit C, except up to two chum salmon may be retained in the daily limit. Chinook salmon over 24 inches in length and coho salmon over 20 inches in length must be released immediately.

(2) Downstream from the mouth of the Baker River to the mouth of Gilligan Creek: Bag Limit A, except not more than one coho salmon over 20 inches in length may be retained in the daily bag limit, and all chinook salmon over 24 inches in length must be released immediately.

(3) Downstream from the mouth of Gilligan Creek to the mouth of the Skagit River: Bag Limit A, except not more than one coho salmon over 20 inches in length and one chinook over 24 inches in length may be retained in the daily bag limit.

Subject of Possible Rule Making: Proposed regulation to define a contact lens prescription; proposed amendment to WAC 308-53-210, Retention of minimum contact lens records; and proposed amendment to WAC 308-53-265, Required identification on prescriptions.

Persons may comment on this subject by submitting written comments to the Optometry Board, Professional Licensing Services, Health Unit #1, P.O. Box 1099, Mailstop EY-21, Olympia, WA 98507-1099, until July 1, 1990.

Other Information or Comments by Agency at this Time, if any: The Optometry Board welcomes comments from dispensing opticians, optometrists, and all others.

May 30, 1990
Dorothy Gosney
Program Manager

The Washington Optometric Association requests the Board of Optometry to commence rule-making procedures to enact the following proposed rules involving optometric prescriptions.

NEW SECTION

WAC DEFINITION OF CONTACT LENS PRESCRIPTION. An optometric contact lens prescription is a written, signed order from an optometrist to another optometrist, physician, or optician describing optical and physical characteristics of the contact lenses to be dispensed. It shall be preceded by a comprehensive vision and eye health examination followed by a diagnostic or trial evaluation, or a final evaluation of the contact lens.

AMENDATORY SECTION [(Amending Order PL 256, filed 9/13/76)]

WAC 308-53-210 RETENTION OF MINIMUM CONTACT LENS RECORDS. At a minimum, the following specifications for a contact lens prescription must be retained in the records of the licensed optometrist who ((~~makes~~)) writes the prescription:

- (1) Dioptric power;
- (2) Base curve (inside radius of curvature);
- (3) Thickness, when applicable;
- (4) Secondary/peripheral curve, ((~~for PMMA lenses~~)) when applicable;
- (5) ((~~Type of edge for PMMA lenses~~)) Lens material, brand name and/or manufacturer;
- (6) ((~~Color, if used~~)) Diameter;
- ((~~7~~)) Type of material used;
- ((~~8~~)) Special features equivalent to variable curves, fenestration, or coating;

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule

published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION [(Amending Order PM 598, filed 6/5/86)]

WAC 308-53-265 REQUIRED IDENTIFICATION ON PRESCRIPTIONS. ((Optical)) Written prescriptions related to the practice of optometry must include as a minimum:

(1) Typed or commercially printed name, address of practice and telephone number of the prescribing doctor of optometry.

(2) Date of prescription.

(3) Patient's name and address.

(4) Signature of prescribing doctor of optometry.

(5) Expiration date of prescription.

(6) Substitutions permitted: yes/no.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

WSR 90-12-066
NOTICE OF PUBLIC MEETINGS
BOARD FOR
VOCATIONAL EDUCATION
[Memorandum—May 30, 1990]

Cancellation of work study session: The Washington State Board for Vocational Education's work study session, previously scheduled for June 12, 1990, is hereby canceled.

Regular board meeting: The regular board meeting, scheduled for June 13, 1990, will still be held as scheduled: 9:00 a.m., General Lobby Area, Yakima Valley Occupational Industrialization Center, 815 Fruitvale Boulevard, Yakima, WA.

People needing special accommodations, please call Patsi Justice at (206) 753-5660 or 234-5660 scan.

WSR 90-12-067
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 90-45—Filed May 31, 1990, 4:21 p.m.]

Date of Adoption: May 31, 1990.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order:
Repealing WAC 220-57-51500E.

Statutory Authority for Adoption: RCW 75.08.080.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The spring chinook return to the Carson Hatchery is greater than anticipated and as a result, fish are available for harvest, and for this reason

the season needs to be extended beyond the provisions of WAC 220-57-51500E.

Effective Date of Rule: Immediately.

May 31, 1990
Joseph R. Blum
Director

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-57-51500E WIND RIVER

WSR 90-12-068
PERMANENT RULES
DEPARTMENT OF HEALTH
[Order 064—Filed June 1, 1990, 9:00 a.m.]

Date of Adoption: May 31, 1990.

Purpose: To implement RCW 18.29.120(5).

Statutory Authority for Adoption: RCW 18.29.120(5).

Pursuant to notice filed as WSR 90-09-062 on April 17, 1990.

Effective Date of Rule: Thirty-one days after filing.

May 31, 1990
Pam Campbell Mead
for Kristine M. Gebbie
Secretary

NEW SECTION

WAC 308-25-037 WRITTEN EXAMINATION REVIEW PROCEDURES. (1) Any candidate who takes the written examination phase of the dental hygiene examination and does not pass may request informal review by the examining committee of his or her examination results. The request for an informal review must be in writing, a form will be provided with the examination results, and must be received by the department within twenty days of the postmark date of notification of the examination results. The examining committee will not set aside its prior determination unless the candidate shows, by a preponderance of evidence, significant error in examination content or procedure, bias, fraud or discrimination in the examination process.

(2) The procedure for filing an informal review is as follows:

(a) The request for an informal review must be in writing, a form will be provided with the examination results, and must be received by the department within twenty days of the postmark date of notification of the examination results. The department of health office will schedule in Olympia an appointment for the candidate to appear personally to review the questions missed and the answers selected by the candidate on the failed written portion of the examination.

(b) The candidate will be provided a form at the scheduled personal review in Olympia to request an informal review by the Committee. On that form, the candidate must specifically identify the challenged

portions(s) of the examination and must state the specific reason or reasons why the candidate believes the results of the examination should be changed.

(c) The candidate will be identified only by candidate number for the purpose of this review. Letters of reference or requests for special consideration will not be read or considered by the examining committee.

(d) The candidate may not bring in notes, texts, or other individuals except for an attorney, while completing the informal review form.

(e) The candidate will not be allowed to take any notes or materials from the office upon leaving.

(f) The examining committee will schedule a closed session meeting to review the examination, score sheets and the form completed by the candidate. Candidates are not permitted to attend.

(g) The candidate will be notified in writing of the results of the informal review.

(3) Any candidate who is not satisfied with the result of the informal examination review may submit a written request for a formal hearing to be held before an administrative law judge. The hearing will be conducted under the Administrative Procedure Act, Chapter 34.05 RCW and the rules adopted thereunder. The written request for a formal hearing must be received by the department of health within twenty days of the postmark date of the notification of the results of the informal review. The written request must specifically identify the challenged portion(s) of the examination and must state the specific reason(s) why the candidate believes the results of the examination should be changed. The final decision shall be made by the secretary of the department of health. The secretary will not modify the examination results unless the candidate shows, by a preponderance of evidence, significant error in examination content or procedure, bias, fraud or discrimination in the examination process.

(4) Before the hearing is scheduled the parties shall attempt by informal means to resolve the following:

(a) The simplification of issues;

(b) Amendments, if any, to the candidate's notice identifying the challenged portion(s) of the examination and the statement of the specific reason(s) why the candidate believes the results of the examination should be changed;

(c) The obtaining of stipulations, admission of facts and documents;

(d) The limitation of the number of witnesses;

(e) A schedule for completion of all discovery; and,

(f) Such other matters as may aid in the disposition of the proceeding.

If the parties are unable to resolve any of these issues informally, either party shall request a prehearing conference to be held before the administrative law judge.

(5) In the event there is a prehearing conference, the administrative law judge shall enter an order which sets forth the actions taken at the conference, the amendments to the candidate's notice and the agreements reached by the parties as to any of the matters considered, including but not limited to the settlement or simplification of issues. The prehearing order limits the issues for hearing to those not disposed of by admissions

or agreements. Such order shall control the subsequent course of the proceeding unless modified for good cause by subsequent prehearing order.

(6) Candidates will receive at least seven days notice of the time and place of the formal hearing. The hearing will be restricted to the specific portion(s) of the examination the candidate has identified as the basis for his or her challenge of the examination results unless amended by a prehearing order. The issues raised by the candidate at the formal hearing shall be limited to those issues raised by the candidate for consideration at the informal review unless amended by a prehearing order.

NEW SECTION

WAC 308-25-038 PRACTICAL EXAMINATION REVIEW PROCEDURES. (1) Any candidate who takes the practical examination for licensure as a dental hygienist and does not pass may request informal review by the examining committee of his or her examination results. This request must be in writing and must be received by the department within twenty days of the postmark date of the mailing of the practical examination score sheets. The examining committee will not set aside its prior determination unless the candidate shows, by a preponderance of evidence, significant error in examination procedure, bias, fraud or discrimination in the examination process.

(2) The procedure for filing an informal review is as follows:

(a) Request, on the form provided with the examination results, a copy of the score sheets on the failed practical portion of the examination. This request must be in writing and must be received by the department within fifteen days of the postmark date of notification of the examination results.

(b) The candidate will be provided along with the copies of the failed grade sheets a form to complete on which the candidate must specifically identify the challenged portion(s) of the examination and must state the specific reason(s) why the candidate believes the results of the examination should be changed. Such form must be returned to the department within twenty days of the postmark date of the mailing of the practical examination score sheets.

(c) The candidate will be identified only by candidate number for the purpose of this review. Letters of reference, requests for special consideration, or any reexamination of the patient will not be considered by the examining committee. Patient difficulty will not be considered by the examining committee if the patient category selected by the candidate was accepted for the examination.

(d) The examining committee will schedule a closed session meeting to review the examination, score sheets, and form completed by the candidate for the purpose of informal review. Candidates are not permitted to attend.

(e) The candidate will be notified in writing of the results.

(3) Any candidate who is not satisfied with the result of the informal examination review may submit a written request for a formal hearing to be held before an administrative law judge. The hearing will be conducted

under the Administrative Procedure Act, Chapter 34.05 RCW and the rules adopted thereunder. The written request for a formal hearing must be received by the department of health within twenty days of the postmark date of the notification of the results of the informal review. The written request must specifically identify the challenged portion(s) of the examination and must state the specific reason(s) why the candidate believes the results of the examination should be changed. The final decision shall be made by the secretary of the department of health. The secretary will not modify the examination results unless the candidate shows, by a preponderance of evidence, significant error in examination content or procedure, bias, fraud or discrimination in the examination process.

(4) Before the hearing is scheduled the parties shall attempt by informal means to resolve the following:

- (a) The simplification of issues;
- (b) Amendments, if any, to the candidate's notice identifying the challenged portion(s) of the examination and the statement of the specific reason(s) why the candidate believes the results of the examination should be changed;
- (c) The obtaining of stipulations, admission of facts, and documents;
- (d) The limitation of the number of witnesses;
- (e) A schedule for completion of all discovery; and
- (f) Such other matters as may aid in the disposition of the proceeding.

If the parties are unable to resolve any of these issues informally, either party shall request a prehearing conference to be held before the administrative law judge.

(5) In the event there is a prehearing conference, the administrative law judge shall enter an order which sets forth the actions taken at the conference, the amendments to the candidate's notice and the agreements reached by the parties as to any of the matters considered, including but not limited to the settlement or simplification of issues. The prehearing order limits the issues for hearing to those not disposed of by admissions or agreements. Such order shall control the subsequent course of the proceeding unless modified for good cause by subsequent prehearing order.

(6) Candidates will receive at least seven days notice of the time and place of the formal hearing. The hearing will be restricted to the specific portion(s) of the examination the candidate has identified as the basis for his or her challenge of the examination results unless amended by a prehearing order. The issues raised by the candidate at the formal hearing shall be limited to those issues raised by the candidate of consideration at the informal review unless amended by a prehearing order. Letters of reference, requests for special consideration or any reexamination of the patient will not be considered.

WSR 90-12-069
PROPOSED RULES
DEPARTMENT OF
LABOR AND INDUSTRIES
 [Filed June 1, 1990, 9:26 a.m.]

Continuance of WSR 90-07-078.

Title of Rule: Agricultural labor, chapter 296-131 WAC.

Purpose: Implementing RCW 49.30.030.

Statutory Authority for Adoption: RCW 49.30.030.

Statute Being Implemented: RCW 49.30.030.

Summary: The proposed rules establish requirements for rest and meal periods for agricultural employees. The proposed rules also establish limitations on the employment of minors in agriculture.

Reasons Supporting Proposal: The proposed rules are based on recommendations of an advisory committee on agricultural labor established by RCW 49.30.030.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Mark M. McDermott, 406 Legion Way, Olympia, (206) 753-3487.

Name of Proponent: [Department of Labor and Industries], governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed regulations, summarized below, establish rules for employment of minors in agriculture in Washington. The rules are designed to improve educational opportunities and increase workplace safety for minors employed in agriculture, keeping in mind the crop cultural and harvest requirements of agriculture in Washington. WAC 296-131-001 Applicability; 296-131-005 Definitions; 296-131-020 Meals and rest periods (requiring meal and rest periods for agricultural employees); 296-131-100 Permits to employ minors (requiring employers to obtain a permit to employ minors); 296-131-105 Parental and school authorization (requiring parental authorization for employment of a minor and school authorization for employment during the school year); 296-131-110 Posting (requiring posting of minor work permit and an informational poster); 296-131-115 Age of employment (establishing a minimum age for employment in agriculture); 296-131-120 Hours of work for minors in agriculture (establishing times of day during which minors may work in agriculture); 296-131-125 Prohibited and hazardous employment (prohibiting employment of minors in certain hazardous occupations in agriculture and providing exceptions); 296-131-130 Recordkeeping (requiring employers maintain records of minor employees); 296-131-135 Revocation or denial of permits (standards for revocation or denial of minor work permits); and 296-131-140 Variances (standards for issuing variances to WAC 296-131-120).

Proposal Changes the Following Existing Rules: WAC 296-131-001 is amended to limit the applicability of some rules in this WAC chapter, Agricultural labor.

Small Business Economic Impact Statement: The small business economic impact statement is shown in the original filing.

Submit Written Comments to: Mark M. McDermott,
406 Legion Way, Olympia, WA 98504, by June 1, 1990.
Date of Intended Adoption: June 29, 1990.

May 31, 1990
R. L. McCallister
for Joseph A. Dear
Director

WSR 90-12-070
NOTICE OF PUBLIC MEETINGS
INTERAGENCY COMMITTEE
FOR OUTDOOR RECREATION

[Memorandum—May 30, 1990]

The July 20, 1990, regular meeting of the Interagency Committee for Outdoor Recreation (IAC) will be held at Nendel's Four Seasons Inn, 11 West Grant Road, East Wenatchee, WA, beginning at 9:00 a.m. This meeting is not a funding session; agenda items will include usual status reports, certain project changes, proposed legislation, consideration of the 1991-93 IAC operating budget, the 1991-93 participating state agencies' capital budget, and the IAC agency's 1991-93 capital budget.

WSR 90-12-071
PERMANENT RULES
DEPARTMENT OF HEALTH

[Order 062—Filed June 1, 1990, 3:15 p.m., effective July 1, 1990]

Date of Adoption: June 1, 1990.

Purpose: Places in rule certain certificate of need decision criteria now in the state health plan, which sunsets June 30, 1990.

Statutory Authority for Adoption: RCW 70.38.919.

Pursuant to notice filed as WSR 90-08-102 on April 4, 1990.

Changes Other than Editing from Proposed to Adopted Version: All of the following changes respond to comments received and do not substantively change the meaning or intent of the rules: WAC 248-19-800(6), a definition of concurrent review was added to clarify the intent of the provision of (4) of this section; WAC 248-19-800(7), the definition of continuing care contract was changed to read exactly as the statutory definition; and WAC 248-19-800 (8)(b), Type B CCRC was clarified to be consistent with the statutory definition of CCRC.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: On June 30, 1990, the state health plan is no longer effective. These rules place the nursing home bed need methodology now in the plan into rule. We believe it is important for these rules to be in effect when the state health plan lapses so there is no challenge to certificate of need implementing the policy, adopted by the governor in October 1989, which is embodied in these rules.

Effective Date of Rule: July 1, 1990.

June 1, 1990
Pamela Campbell Mead
for Kristine M. Gebbie
Secretary

NEW SECTION

WAC 248-19-800 NURSING HOME AND CONTINUING CARE RETIREMENT COMMUNITY DEFINITIONS. The department shall use the definitions in this section in sections WAC 248-19-805 Nursing home bed need projection method through WAC 248-19-886 Continuing care retirement community (CCRC) structure and process of care review standards.

(1) "Baseline bed need" means the number of additional nursing home beds needed in the state or a planning area by the resident population by the projection year.

(2) "Baseline projection" means the number of nursing home beds calculated by the department as necessary state-wide or within a planning area, by the end of the projection period, for reasonable and appropriate use by the resident population.

(3) "Bedded" is a term which describes the adequacy of the bed supply within a planning area relative to the baseline projection.

(a) A planning area is "under-bedded" if the area's bed-to-population ratio is less than the target ratio.

(b) A planning area is "adequately bedded" if the area's bed-to-population ratio is between the target ratio and the state-wide current ratio.

(c) A planning area is "over-bedded" if its bed-to-population ratio is greater than the state-wide current ratio.

(4) "Bed supply" means within a geographic area the total number of:

(a) Nursing home beds which are licensed or certificate of need approved but not yet licensed, excluding:

(i) Those nursing home beds certified as intermediate care facility for the mentally retarded (ICF-MR) the operators of which have not signed an agreement on or before July 1, 1990, with the department of social and health services to give appropriate notice prior to termination of the ICF-MR service;

(ii) New or existing nursing home beds within a Type A CCRC which are approved under the provisions of WAC 248-19-810(5); or

(iii) Nursing home beds within a CCRC which is excluded from the definition of a health care facility per RCW 70.38.025(6); and

(iv) In computing the bed supply of a planning area, but not in computing state-wide bed supply, new nursing home beds within a Type B CCRC as defined in subsection (8)(b) of this section.

(b) Licensed hospital beds used for long-term care or certificate of need approved hospital beds to be used for long-term care not yet in use, excluding swing-beds.

(5) "Bed-to-population ratio" means the bed supply per one thousand persons of the estimated or forecast resident population age sixty-five and older, and includes the following:

(a) "State-wide current ratio" means a bed-to-population ratio computed from the most recent state-wide bed supply and the most recent estimate of the state-wide resident population.

(b) "Target ratio" means a bed-to-population ratio of forty-five established for planning and policy-making purposes.

(6) "Concurrent reviews" have been scheduled in WAC 248-19-327 for competing projects proposing nursing home beds. The redistribution of nursing home beds certified as intermediate care for the mentally retarded (ICF-MR) to skilled nursing facility beds will not be subject to concurrent review when the ICF-MR beds have been counted in the "bed supply" as referenced in subsection (4)(a)(i) of this section.

(7) "Continuing care contract" means a contract providing a person, for the duration of that person's life or for a term in excess of one year, shelter along with nursing, medical, health-related, or personal care services. The contract is conditioned on the transfer of property, the payment of an entrance fee to the provider of such services, or the payment of periodic charges for the care and services involved. A continuing care contract is not excluded from this definition because the contract is mutually terminable or because shelter and services are not provided at the same location.

(8) A "continuing care retirement community (CCRC)" means any of a variety of entities, unless excluded from the definition of health care facility under RCW 70.38.025(6), which provides shelter and services based on continuing care contracts with its members. CCRCs are categorized as follows:

(a) "Type A CCRC" means a CCRC which:

(i) Maintains for a period in excess of one year a CCRC contract with a member which provides or arranges for at least the following specific services:

(A) Independent living units;

(B) Nursing home care with no limit on the number of medically needed days;

(C) Assistance with activities of daily living; and

(D) Services equivalent in scope to either state chore services or Medicaid home health services;

(ii) Continues a contract, if a member is no longer able to pay for services;

(iii) Offers services only to contractual members with limited exception during a transition period; and

(iv) Holds the Medicaid program harmless from liability for costs of care, even if the member depletes his or her personal resources.

(b) "Type B CCRC" means a CCRC which:

(i) Maintains for a period in excess of one year a CCRC contract with its members;

(ii) Provides shelter along with nursing, medical, health-related, or personal care services;

(iii) May terminate a contract, if a member is unable to pay for services;

(iv) May admit patients to the nursing home who are not CCRC members; and

(v) May maintain Medicaid contracts and/or other requirements for third party payment.

(9) A "member" of a CCRC means an individual who has signed a continuing care contract with a CCRC.

(10) "Net bed need" means baseline bed need of a planning area changed by any redistributions as follows:

(a) Adding nursing home beds being redistributed from another nursing home planning area or areas; or

(b) Subtracting nursing home beds being redistributed to another nursing home planning area or areas.

(11) "Planning and service area" (PSA) means the geographic area of one or more counties designated by the department of social and health services' aging and adult services administration to be represented by a single area agency on aging.

(12) "Planning area" means each individual county designated by the department as the smallest geographic area for which nursing home bed need projections are developed, except as follows:

(a) Clark and Skamania counties shall be one planning area.

(b) Chelan and Douglas counties shall be one planning area.

(c) Camano Island shall be included in Snohomish County and excluded from Island County.

(13) "Projection period" means the interval of time between July 1, 1990, and June 30, 1993.

(14) "Projection year" means the time interval between July 1, 1992, and June 30, 1993.

(15) "Redistribution" means a shift of net bed need among planning areas in accordance with a redistribution plan as described in WAC 248-19-810(4).

(16) "Resident population" means the number of residents sixty-five years of age and older living within the same geographic area which:

(a) Excludes contract holders living within a Type A CCRC:

(i) With approval for new nursing home beds under the provisions of WAC 248-19-810(5); or

(ii) Excluded from the definition of a health care facility per RCW 70.38.025(6);

(b) Is calculated using demographic data obtained from:

(i) The office of financial management; and

(ii) Certificate of need applications and exemption requests previously submitted by Type A CCRC.

(17) "Swing beds" means up to the first five hospital beds designated by an eligible rural hospital which are available to provide either acute care or long-term nursing services as required.

(18) "Transition period" means the period of time, not exceeding five years, between the date the facility is inhabited by a member and the date it fully meets the requirements of a Type A CCRC as contained in subsection (8)(a) of this section.

NEW SECTION

WAC 248-19-805 NURSING HOME BED NEED METHOD. (1) The department has developed the following projection method for determining the number of new nursing home beds necessary for reasonable and appropriate use.

(2) The department shall use the following projection method during the projection period.

(a) The department shall calculate the state-wide baseline bed need for the projection year which is:

- (i) The greater of:
- (A) The product of the estimated state-wide resident population for the projection year multiplied by the target ratio; or
- (B) Thirty thousand two hundred;
- (ii) Minus thirty-five nursing home beds for a state-wide AIDS nursing home demonstration project to be located in PSA # 4.
- (b) The department shall calculate the baseline projection for each planning area by multiplying the projection year estimated resident population for each planning area by either:
- (i) The target ratio; or
- (ii) If thirty thousand two hundred minus thirty-five is used as the state-wide baseline bed need, the bed-to-population ratio computed using a state-wide bed supply of thirty thousand one hundred sixty-five and state-wide projection year resident population.
- (c) The department shall calculate the projected current supply ratio for each planning area, which is a bed-to-population ratio computed from the most recent bed supply and the projection year estimate of resident population.
- (d) The department shall rank order each planning area from lowest to highest according to the planning area's projected current supply ratio.
- (e) The department shall determine the areas of the state that will be under-bedded, adequately-bedded, and over-bedded in the projection year by comparing each planning area's projected current supply ratio to the target ratio and state-wide current ratio.
- (f) The department shall compare the most recent state-wide bed supply with the state-wide baseline bed need.
- (i) If the current state-wide bed supply is greater than or equal to the state-wide baseline bed need, then:
- (A) Calculation of planning area need for new beds ends; and
- (B) Need for new beds in every planning area is determined to be zero.
- (ii) If the current state-wide bed supply is less than the state-wide baseline bed need, the department shall determine the difference between the state-wide baseline bed need and the state-wide current bed supply, which shall be called state-wide available beds.
- (A) If the number of state-wide available beds is large enough, the department shall assign to each under-bedded planning area the number of beds necessary to bring it up to the target ratio in the projection year.
- (B) If the number of state-wide available beds is insufficient to assign each under-bedded planning area the number of new beds necessary to bring it up to the target ratio, the department shall assign to each under-bedded planning area a proportion of state-wide available beds equal to the ratio of that planning area's bed need to reach the target ratio to the total beds required for all under-bedded planning areas to reach the target ratio in the projection year.
- (C) If after assigning new beds to under-bedded planning areas per (f)(ii)(A) of this subsection state-wide available beds remain, the department shall assign

this remainder to under-bedded or adequately-bedded planning areas as follows:

- (I) Since currently under-bedded planning areas have been assigned sufficient beds to reach the target ratio under provisions of (f)(ii)(A) of this subsection, for purposes of this step of the calculation the department shall consider each currently under-bedded planning area to be adequately-bedded and to have a bed supply exactly sufficient to achieve the target ratio in the projection year.
- (II) The department shall determine the number of beds needed to bring all adequately-bedded planning areas up to the state-wide current ratio.
- (III) If the remainder of state-wide available beds is large enough, the departments shall assign adequately-bedded planning areas the number of beds each needs to reach the state-wide current ratio in the projection year.
- (IV) If the remainder of state-wide available beds is insufficient to bring adequately-bedded planning areas up to the state-wide current ratio, the department shall assign to each adequately-bedded planning area a proportion of state-wide available beds equal to the ratio of that planning area's bed need to reach the target ratio to the total beds required for all adequately-bedded planning areas to reach the target ratio in the projection year.
- (D) The department shall not assign more new beds to a planning area than the number which, when added to the planning area's bed supply, will raise the planning area's bed-to-population ratio to the greater of the target ratio and the state-wide current ratio.

NEW SECTION

WAC 248-19-806 NURSING HOME BED NEED METHOD REVISION. (1) The department shall review the projection method and may make changes in accordance to the following schedule:

- (a) By June 30, 1992, the department, in consultation with the department of social and health services and appropriate advisory bodies representing both consumers and providers, shall review the projection method.
- (b) During the first half of the projection year, the department shall amend these rules to change the projection method as necessary.
- (c) During January 1993 the department shall calculate the baseline projections for the projection period beginning July 1, 1993.
- (2) When reviewing the projection method the department shall consider the following:
- (a) The national bed-to-population ratio and the bed-to-population ratios of other states judged by the aging and adult services administration of the department of social and health services to have reasonable and progressive long-term care policies;
- (b) State governmental policy goals for distributing scarce resources between nursing homes and other institutional or community based services;
- (c) The effects of developments in the delivery or financing of long-term care services on nursing home bed need; and
- (d) Progress in developing other long-term care services for the state-wide resident population.

WSR 90-12-072
PERMANENT RULES
DEPARTMENT OF HEALTH
 [Order 063—Filed June 1, 1990, 3:20 p.m.]

Date of Adoption: June 1, 1990.

Purpose: Places in rule certain certificate of need decision criteria now in the state health plan, which sunsets June 30, 1990.

Statutory Authority for Adoption: RCW 70.38.919.

Pursuant to notice filed as WSR 90-08-105 on April 4, 1990.

Changes Other than Editing from Proposed to Adopted Version: All of the following changes respond to comments received and do not substantively change the meaning or intent of the rules: WAC 248-19-810 (1)(d), was deleted because these rules do not apply to these projects; WAC 248-19-810(3), a sentence was added to help clarify when the individual county projection numbers for 1993 are to be used; and we are not proposing to adopt WAC 248-19-820 at this time.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: On June 30, 1990, the state health plan is no longer effective. These rules place the nursing home bed need methodology now in the plan into rule. We believe it is important for these rules to be in effect when the state health plan lapses so there is no challenge to certificate of need implementing the policy, adopted by the governor in October 1989, which is embodied in these rules.

Effective Date of Rule: July 1, 1990.

June 1, 1990
 Pamela Campbell Mead
 for Kristine M. Gebbie
 Secretary

NEW SECTION

WAC 248-19-810 NURSING HOME BED NEED STANDARDS. (1) The department shall use the following rules to interpret the certificate of need review criteria contained in WAC 248-19-370(1) for applications proposing the following:

(a) Construction, development, or other establishment of a new nursing home;

(b) Increase in the licensed bed capacity of a nursing home or a hospital long-term care unit; or

(c) Change in license category of beds from the following to nursing home or hospital long-term care unit beds:

(i) Acute care; or

(ii) Boarding home care.

(2) The department shall comply with the following time schedule for developing bed need projections:

(a) By the last working day in January of each year, the department shall recalculate the baseline projection for each planning area.

(b) By the last working day in January of each year, the department shall provide the aging and adult services administration of the department of social and

health services with the baseline bed need for each planning area, pending the department's decisions on applications submitted during the previous year's nursing home concurrent review cycles.

(c) By the last working day in January of each year, the department shall rank order planning areas from lowest to highest by the projected current supply ratio.

(d) By the first working day of June of each year, the department shall calculate the net bed need for each planning area.

(3) The following are the baseline projections for the projection period, listed by planning and service area and planning area. When a planning area baseline projection is greater than the "bed supply" no beds can be added until the state-wide target ratio is reached, except as allowed in subsection (6) of this section.

Planning area	Baseline projection
(a) PSA # 1	
Clallam	480
Grays Harbor	488
Jefferson	175
Pacific	172
(b) PSA # 2	
Island excluding Camano	397
San Juan	92
Skagit	605
Whatcom	887
(c) PSA # 3	
Snohomish including Camano	342
(d) PSA # 4	
King	9,030
AIDS project	35
(e) PSA # 5	
Pierce	3,253
(f) PSA # 6	
Lewis	467
Mason	302
Thurston	972
(g) PSA # 7	
Clark/Skamania	1,290
Cowlitz	521
Klickitat	176
Wahkiakum	28
(h) PSA # 8	
Adams	80
Chelan/Douglas	623
Grant	320
Lincoln	95
Okanogan	249

Planning area	Baseline projection
(i) PSA # 9	
Asotin	151
Benton	423
Columbia	41
Franklin	181
Garfield	23
Kittitas	182
Walla Walla	412
Yakima	1,459
(j) PSA # 11	
Ferry	32
Pend Oreille	66
Spokane	2,632
Stevens	193
Whitman	219
(k) PSA # 13	
Kitsap	1,108

(4) The aging and adult services administration of the department of social and health services may submit any redistribution plans to the department which:

(a) Redistribute baseline bed need among planning areas;

(b) Document the following:

(i) That all involved area agencies on aging support each proposed redistribution; and

(ii) That the redistribution plan was approved by the assistant secretary for aging and adult services of the department of social and health services.

(c) Are received by the department no later than April tenth or the first working day thereafter.

(5) The department shall limit to three hundred the total number of nursing home beds approved for all Type A CCRC which propose or are operating within a transition period.

(a) These three hundred beds available for Type A CCRC during transition periods shall be in addition to the net nursing home beds needed in all of the planning areas.

(b) All nursing home beds approved for Type A CCRC which propose or are operating within a transition period shall be counted as beds within this three hundred bed limitation unless and until the CCRC fully complies with all provisions of the Type A CCRC performance standards.

(6) The department shall not issue certificates of need approving more than the net bed need indicated for a given planning area, unless:

(a) The department finds such additional beds are needed to be located reasonably close to the people they serve; and

(b) The department explains such approval in writing.

NEW SECTION

WAC 248-19-811 NURSING HOME BED NEED ADJUSTMENTS. (1) The department shall use the procedures described in this section to make adjustments to planning area net bed need.

(2) For planning areas for which a nursing home review is scheduled or is ongoing, the department shall use the following procedures to adjust a planning area's net bed need between April tenth or the first working day thereafter and the last working day in January of the following year.

(a) Where an increase in the bed supply of a planning area results in a reduction in net bed need, the department shall use the following procedures:

(i) When a reduction in net bed need occurs prior to the date of beginning of review for the applicable concurrent review cycle, the department shall:

(A) Inform, in writing, all persons from whom the department has received an application and/or a valid letter of intent of the reduction; and

(B) Explain the procedures for withdrawing or amending a certificate of need application.

(ii) When a reduction in net bed need occurs after the date of beginning of review for the applicable concurrent review cycle, the department shall use the need projected at the time the review began in reaching a decision on each affected application.

(b) Where a decrease in the bed supply of a planning area results in the increase in net bed need, the department shall:

(i) Use the following policies:

(A) If such a decrease in the bed supply would make a planning area under-bedded, the department shall:

(I) Assign to the planning area only enough beds for the planning area to reach the target ratio in the projection year, but not to exceed the number of beds which closed; and

(II) Redistribute any remaining beds to planning areas state-wide through the next scheduled recalculation of baseline projections for all planning areas.

(B) If such decrease in the bed supply would not make a planning area under-bedded, the department shall redistribute any remaining beds to planning areas state-wide through the next scheduled recalculation of baseline projections for all planning areas.

(ii) Subject to the provisions of (b)(i) of this subsection, use the following procedures:

(A) When an increase in net bed need can be made prior to the last day on which the department can accept amendments to applications under review, the department shall:

(I) Notify all affected applicants in writing; and

(II) Explain to each affected applicant the procedures for amending a certificate of need application.

(B) When an increase cannot be made prior to the last day on which the department can accept amendments to applications under review, the department shall include the increased net bed need in any subsequent decisions on each affected application or the next applicable concurrent review cycle, whichever occurs first.

(3) For planning areas for which a nursing home review is not scheduled or ongoing, the department shall use the following procedures to adjust a planning area's net bed need between April tenth or the first working day thereafter and the last working day in January of the following year:

(a) If a decrease in the bed supply would make a planning area under-bedded, the department shall:

(i) Assign to the planning area only enough beds for the planning area to reach the target ratio in the projection year; and

(ii) Redistribute any remaining beds to planning areas state-wide through the next scheduled recalculation of baseline projections for all planning areas.

(b) If such decrease in the bed supply would not make a planning area under-bedded, the department shall redistribute any remaining beds to planning areas state-wide through the next scheduled recalculation of baseline projections for all planning areas.

NEW SECTION

WAC 248-19-840 AIDS LONG-TERM CARE PILOT FACILITY REVIEW STANDARDS. (1) Until an AIDS long-term care pilot facility has received a license to operate as a nursing home in this state, the department shall apply the standards in this section and those in WAC 248-19-810 and 248-19-820 in the review of applications for an AIDS long-term care pilot facility.

(2) The department shall use the standards in this subsection to interpret the certificate of need review criteria contained in WAC 248-19-370.

(a) Applicants for a certificate of need shall propose a facility to be:

(i) Licensed for not more than thirty-five nursing home beds;

(ii) Located in the King County nursing home planning area;

(iii) Located in reasonable proximity to:

(A) A hospital;

(B) An outpatient radiology service; and

(C) An outpatient laboratory service; and

(iv) Operated with admissions policies which select patients with the following characteristics:

(A) Rapidly fluctuating care needs including at least some period of needing skilled nursing care;

(B) Do not need acute hospitalization; and

(C) Need some level of twenty-four hour care, but cannot live at home.

(v) Designated to provide a residential environment supporting people in living at the maximum level of independence possible.

(b) Applicants for a certificate of need shall:

(i) Make a commitment of at least five years to maintaining the facility as described in the application; and

(ii) Admit patients with fluctuating care needs similar to those with AIDS.

(3) The department, in interpreting the certificate of need review criteria contained in WAC 248-19-380, shall give preference to those applicants that demonstrate substantial financial support from a combination of community, federal, and/or private foundation sources.

(4) The department shall use the standards in this subsection to interpret the certificate of need review criteria contained in WAC 248-19-390.

(a) Applicants for a certificate of need shall:

(i) Show how planning the facility includes input from community AIDS service organizations;

(ii) Show how they will integrate the facility's services with the services provided by other public and private AIDS services organizations; and

(iii) Document their experience in health care services delivery to patients with AIDS.

(b) Applicants for a certificate of need shall express their intent to develop a policy advisory board after the facility is in operation, to include representatives from the groups served by the facility.

(5) The department, in interpreting the certificate of need review criteria contained in WAC 248-19-400, shall require that applicants demonstrate their capability to evaluate the project and state their willingness to share the information with the assistant secretary for HIV/AIDS infectious diseases.

NEW SECTION

WAC 248-19-860 SWING BED REVIEW STANDARDS. (1) The department shall use the following rules, in addition to those under WAC 248-19-810 and 248-19-820 to interpret the certificate of need review criteria contained in WAC 248-19-370, 248-19-380, 248-19-390, and 248-19-400 for applications by hospitals proposing an increase in the number of designated swing beds.

(2) Swing beds are defined as up to the first five hospital beds, so designated by an eligible rural hospital, which are available to provide either acute care or long-term care nursing services as required.

(3) Hospitals proposing swing bed projects shall:

(a) Be located in geographic areas of the state defined by the United States Bureau of the Census as a nonstandardized metropolitan statistical area; and

(b) Have total licensed bed capacity not exceeding fifty.

(4) Hospitals shall demonstrate ability to meet minimum Medicare standards of care for rural hospital swing beds.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 248-19-373 DETERMINATION OF NURSING HOME BED NEEDS.

WAC 248-19-375 AIDS LONG-TERM CARE PILOT FACILITY PERFORMANCE STANDARDS.

WAC 248-19-403 MAJOR MEDICAL EQUIPMENT NOT OWNED BY OR LOCATED IN A HEALTH CARE FACILITY.

WSR 90-12-073

PERMANENT RULES

STATE BOARD OF EDUCATION

[Filed June 1, 1990, 3:37 p.m.]

Date of Adoption: May 18, 1990.

Purpose: To repeal subsections (1), (2), (3), (4) and part of subsection (5).

Citation of Existing Rules Affected by this Order: Amending WAC 180-78-057.

Statutory Authority for Adoption: RCW 28A.04.120 and 28A.70.005.

Pursuant to notice filed as WSR 90-08-113 on April 4, 1990.

Effective Date of Rule: Thirty-one days after filing.

June 1, 1990

Monica Schmidt

Secretary

Executive Director

AMENDATORY SECTION (Amending Order 26-88, filed 12/14/88)

WAC 180-78-057 APPROVAL OF ((COURSES)) PREPARATION PROGRAM OFFERED BY AN OUT-OF-STATE COLLEGE OR UNIVERSITY WITHIN THE STATE APPLICABLE TO CERTIFICATION. ((In order for any education course offered by an out-of-state college or university within the state of Washington to be applicable to Washington state certification, prior approval must be obtained by the out-of-state college or university from the state board of education or its designee within the office of the superintendent of public instruction.

A course offered under such circumstances must comply with the following requirements to qualify for approval:

(1) Be offered by a college or university which is accredited in its respective region by the regional accrediting association;

(2) Be offered by a college or university which has had its Washington-based course offerings reviewed and approved during the accreditation process required in subsection (1) of this section;

(3) Be offered by a college or university which is approved in its respective home state for purposes of preparing personnel for certification to serve in the common schools;

(4) File an application and provide evidence to the state board of education that the preceding requirements are met;

(5) PROVIDED, That no college or university within the state of Washington having an approved professional education program shall be required to accept such course work as part of a certificate program. AND PROVIDED FURTHER, That)) No out-of-state college or university shall offer a program of courses within Washington state for purposes of Washington state certification without meeting all program approval requirements set forth in this chapter.

WSR 90-12-074

EMERGENCY RULES

SUPERINTENDENT OF PUBLIC INSTRUCTION

[Order 14—Filed June 1, 1990, 3:40 p.m.]

Date of Adoption: June 1, 1990.

Purpose: To formalize the principles applicable to the adjudication of cases related to nonresident school attendance.

Citation of Existing Rules Affected by this Order: Chapter 392-137 WAC.

Statutory Authority for Adoption: RCW 28A.22.230 [28A.225.230] and 34.05.220(4).

Pursuant to RCW 34.05.350 the agency for good cause finds that state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this Finding: Section 203, chapter 9, Laws of 1990 1st ex. sess. requires school districts adopt a policy establishing rational, fair, and equitable standards for acceptance and rejection of applications by June 30, 1990. These rules are necessary to give districts notice of adjudicative principles that will be followed in such cases.

Effective Date of Rule: Immediately.

June 1, 1990

Judith A. Billings

Superintendent of

Public Instruction

Chapter 392-137 WAC

FINANCE—NONRESIDENT ATTENDANCE

NEW SECTION

WAC 392-137-100 AUTHORITY. The authority for this chapter is RCW 28A.225.230 which authorizes the superintendent of public instruction to review through formal adjudication school district decisions to not release resident students and to not accept nonresident students. This authority is buttressed by RCW 34.05.220(4) which authorizes the state agency charged with the adjudication of individual cases, in this case the superintendent of public instruction, to adopt rules formalizing the general principles applicable to deciding such cases.

NEW SECTION

WAC 392-137-105 PURPOSE. The purpose of this chapter is to formalize the principles applicable to adjudication of cases related to nonresident school attendance.

NEW SECTION

WAC 392-137-110 NONRESIDENT ATTENDANCE EXEMPT FROM ADJUDICATION. The following nonresident attendance arrangements and entitlements are exempt from the adjudication provisions of this chapter:

(1) Interdistrict cooperation programs conducted in accordance with RCW 28A.335.160 or 28A.225.250 and chapter 392-135 WAC.

(2) Programs temporarily conducted in behalf of another district in accordance with RCW 28A.225.200

(3) Reciprocity programs with continuous out-of-state school districts conducted pursuant to RCW 28A.225.260.

(4) The attendance of students from other districts who, by operation of law, have a statutory entitlement to attend school in a nonresident district—to wit the following:

(a) Children who reside within certain federal lands or Indian reservations as provided in RCW 28A.225.170.

(b) Children who reside in school districts which do not provide the grade in which the student is eligible to enroll as provided in RCW 28A.225.210.

(c) Children who are defined to be at risk pursuant to RCW 28A.175.090.

NEW SECTION

WAC 392-137-115 STUDENT RESIDENCE—DEFINITION. As used in this chapter, the term "student residence" means the physical location of a student's principal abode—i.e., the home, house, apartment, facility, structure, or location, etc.—where the student lives the majority of the time. The following shall be considered in applying this section:

(1) The mailing address of the student—e.g., parent's address or post office box—may be different than the student's principal abode.

(2) The student's principal abode may be different than the principal abode of the student's parent(s).

(3) The lack of a mailing address for a student does not preclude residency under this section.

NEW SECTION

WAC 392-137-120 RESIDENT DISTRICT—DEFINITION. As used in this chapter, the term "resident district" means the district in which the student's residence is located.

NEW SECTION

WAC 392-137-125 NONRESIDENT DISTRICT—DEFINITION. As used in this chapter the term "nonresident district" means the district in which the student is enrolled or is seeking entrance and in which the student's residence is not located.

NEW SECTION

WAC 392-137-130 RELEASE OF STUDENTS TO NONRESIDENT DISTRICTS. A resident district shall release a student to a nonresident district if the student meets each of the following conditions:

(1) The nonresident district agrees to accept the student.

(2) The student demonstrates a ground for release as specified in WAC 392-137-135, 392-137-140, or 392-137-145.

(3) The resident district has not denied the release for desegregation reasons as specified in WAC 392-137-150.

NEW SECTION

WAC 392-137-135 AFFECTING CONDITION—GROUND FOR RELEASE. A district shall release a student if a financial, educational, safety, or health condition affecting the student would likely be reasonably improved as a result of the transfer. The following shall be considered in applying this section:

(1) The term "condition affecting the student" means a financial, educational, safety, or health benefit which can not be met or achieved by attendance in the student's resident district.

(2) The term "would likely be reasonably improved" means it is probable, in the judgment of a reasonable person, that the nature and effect of the benefit to be received will be real and meaningful.

NEW SECTION

WAC 392-137-140 ACCESSIBILITY TO WORK OR CHILD CARE—GROUND FOR RELEASE. A district shall release a student if attendance in the nonresident district is more accessible to the parent's place of work or to the location of child care. The following shall be considered in applying this section:

(1) The term "parent" means one or more adults with custodial responsibility for the child.

(2) The term "more accessible" means a difference to an extent which is more than de minimis.

(3) The term "child care" means any form of adult supervision for a child who is in need of such adult supervision.

NEW SECTION

WAC 392-137-145 SPECIAL CONDITION—GROUND FOR RELEASE. A district shall release a student if there is a special hardship or detrimental condition. The following shall be considered in applying this section:

(1) The term "special" means a circumstance or factor which is generally not applicable to other students or families.

(2) The terms "hardship" and "detrimental condition" apply to any circumstance or factor harmfully affecting the student or student's immediate family and is not restricted to a financial, educational, safety, or health condition.

(3) The following are judged by the superintendent of public instruction to constitute a special hardship or detrimental condition, the proof of which is a per se hardship or condition for the order of a release:

(a) A student who was enrolled the previous school year in a nonresident district who is scheduled to complete in the same nonresident district during the next school year the highest grade offered in the resident district.

(b) A student who has completed two or more school years in a nonresident district without a release but with the knowledge of such nonresident attendance by the superintendent or any member of the board of directors of the resident district.

NEW SECTION

WAC 392-137-150 DESEGREGATION—GROUND FOR DENIAL OF RELEASE. A district may deny a release if the release would adversely affect the district's existing desegregation plan.

NEW SECTION

WAC 392-137-155 APPEAL TO SPI—DENIAL OF RELEASE. The decision of a resident school district to not release a resident student may be appealed to the superintendent of public instruction. The right of appeal is subject to each of the following conditions:

(1) The appeal is filed by the student's parent or a custodial adult or by the student if the student is eighteen years of age or older.

(2) The resident district has denied the release or has failed to consider the request for the release. The following shall apply:

(a) For the purpose of this subsection, a denial is established by one of the following:

(i) A copy of the minutes of the board of directors of the resident district which establishes that the board has denied a request to release the resident student.

(ii) A written statement by the superintendent of the resident district that the board has taken action denying the release.

(b) For the purpose of this subsection a refusal to consider a request for a release is established by:

(i) Copy of correspondence addressed to the superintendent of the resident district requesting a release and which sets forth the grounds for the release.

(ii) An affidavit by the appellant indicating the resident district board of directors has failed to act on the request and that at least forty-five calendar days has transpired since the request for the release was mailed or delivered to the superintendent of the resident district.

(3) The nonresident district has agreed to accept the student. For the purpose of this subsection an acceptance is established by one of the following:

(a) A copy of minutes of the board of directors of the nonresident district that establishes that the nonresident student has been accepted.

(b) A written statement by the superintendent of the district that the nonresident student has been accepted.

(c) Any documentation that the nonresident district has a policy of accepting one or more of the following categories of nonresident students:

(i) All nonresident students.

(ii) All nonresident students who are released by the resident school district.

(iii) All nonresident students who are released by order of the superintendent of public instruction or by the court.

NEW SECTION

WAC 392-137-160 ADMISSION BY NONRESIDENT DISTRICT—RELEASED STUDENTS. A nonresident district may admit, subject to the annual transfer fee provision in WAC 392-137-220, all nonresident students who are released by a resident district, the superintendent of public instruction, or a court of law.

The provisions of RCW 28A.225.240 shall apply for apportionment and other purposes.

NEW SECTION

WAC 392-137-190 APPEAL NOTICE—DENIAL OF RELEASE OR ADMISSION. Requests for an appeal shall be addressed to the superintendent of public instruction and shall contain the following:

(1) The name, age, grade level, and residence address, if any, of the student.

(2) The name, mailing address, if any, and the legal relationship of the person, if any, filing the notice of appeal on behalf of the student.

(3) In the case of denial of release, documentation indicating the conditions of WAC 392-137-155 have been met and a copy of all documents or other written evidence submitted to the resident district which indicates the grounds for the requested release.

(4) In the case of denial of admission, documentation that the nonresident district has failed to comply with the standards and procedures specified in WAC 392-137-205.

NEW SECTION

WAC 392-137-195 FILING OF NOTICES OF APPEAL. There is no prescribed method for transmitting appeals to the superintendent of public instruction but receipt of such written appeals by the superintendent of public instruction is a condition precedent to jurisdiction. The material may be hand-delivered or mailed to the following address:

Legal Services
Office of the Superintendent of Public Instruction
Old Capitol Building FG-11
Olympia, Washington 98504

NEW SECTION

WAC 392-137-200 APPEAL TO SPI—DENIAL OF APPLICATION BY NONRESIDENT DISTRICT. RCW 28A.225.230 requires the superintendent of public instruction to hear and adjudicate appeals from denials by nonresident school districts to accept a nonresident student if the nonresident district fails to comply with the standards and procedures prescribed in section 203, chapter 9, Laws of 1990, 1st ex. sess. The grounds for such an appeal are noted in WAC 392-137-205.

NEW SECTION

WAC 392-137-205 NONCOMPLIANCE WITH STANDARDS AND PROCEDURES—GROUND FOR ADMISSION. A nonresident student who is denied admission to a nonresident district shall be ordered admitted by the superintendent of public instruction if the district does not comply with the standards and procedures specified in section 203, chapter 9, Laws of 1990, 1st ex. sess.—to wit the following:

(1) "All districts accepting applications from nonresident students for admission to the district's schools shall consider equally all applications received. Each school

district shall adopt a policy establishing rational, fair, and equitable standards for acceptance and rejection of applications by June 30, 1990." The following shall be considered in applying this subsection:

(a) Applications from nonresident students for the purpose of this section do not include students who are attending the district pursuant to arrangements or entitlements noted in WAC 392-137-110.

(b) The requirement to consider all applications equally does not preclude the establishment of a priority system that is fair and equitable under equal protection standards.

(c) The failure of a district to have adopted an admission policy at the time of the student's denial of admission, not the June 30, 1990 deadline, will govern an order to admit for failure to adopt any policy regarding admission.

(2) "The district shall provide to applicants written notification of the approval or denial of the application in a timely manner. If the application is rejected, the notification shall include the reason or reasons for denial and the right to appeal under RCW 28A.225.230(3)." The following shall be considered in applying this subsection:

(a) All applications must be acted upon by accepting or denying the application within forty-five calendar days of receipt by the nonresident district or the application will be deemed to have been denied for purposes of this section.

(b) The district must make reasonable effort to deliver the written notification of denial to the applicant.

NEW SECTION

WAC 392-137-220 ANNUAL TRANSFER FEE. Until the legislature appropriates funds for payment of all or a selective portion of the excess costs associated with the transfer of students, including low-income students, the receiving district shall have the option of charging the student a transfer fee. Such fee, if charged, shall be charged all nonresident students transferring pursuant to this chapter and shall be established on the basis of one of the following standards:

(1) A uniform rate which may be pro-rated per days of enrollment.

(2) A uniformly applied formula—e.g., tuition based upon the difference between the cost of educating a student in the district or at the grade level of attendance and state and federal funds accruing to the district as a result of the student's enrollment and/or attendance.

NEW SECTION

WAC 392-137-225 LENGTH OF RELEASE. All releases of resident students, whether granted by the resident district or ordered by the superintendent of public instruction, shall state the length of the release or the condition subsequent which would cause the release to be terminated. The termination of a release, for the purpose of this chapter, shall be adjudicated as per the provisions regarding a request for a release.

NEW SECTION

WAC 392-137-230 LENGTH OF ACCEPTANCE. All acceptances of nonresident students, whether granted by the nonresident district or ordered by the superintendent of public instruction, shall state the length of the acceptance or the condition subsequent which would cause the acceptance to be terminated. The termination of an acceptance, for the purpose of this chapter, shall be adjudicated as per the provisions regarding a denial of acceptance.

NEW SECTION

WAC 392-137-235 RESIDENCY OF HANDICAPPED CHILDREN—SPECIAL CONDITION. Notwithstanding the definitions of resident and nonresident district pursuant to this chapter, in the event a student who is eligible for special education pursuant to chapter 392-171 WAC transfers pursuant to this chapter from a resident school district to a nonresident district, the nonresident district shall be deemed the resident district for the purposes of chapter 392-171 WAC and shall be required to perform all legal duties as otherwise required by the resident district, including the transportation of the transferring handicapped student if so required as a related service.

NEW SECTION

WAC 392-137-240 TRANSPORTATION OF STUDENTS—FUNDING—COOPERATIVE AGREEMENTS. Chapter 28A.160 RCW, School Transportation authorizes state funding for transportation of students transported from outside of district boundaries and furthermore authorizes cooperative arrangements among districts regarding the transportation of students from one district to another.

NEW SECTION

WAC 392-137-245 HEARINGS. The hearings provided for in this chapter shall be conducted in compliance with chapter 392-101 WAC.

REPEALER

The following sections of the Washington Administrative Code provisions are repealed:

WAC 392-137-001 Purposes.

WAC 392-137-002 Arrangements deemed approved—Retention and filing of.

WAC 392-137-003 Nonresident attendance exempt from chapter provisions.

WAC 392-137-010 Definitions.

WAC 392-137-015 Persons entitled to attend—Tuition-free.

WAC 392-137-020 Nonresident students under the age of twenty-one—Mutual agreement between resident and nonresident district required.

WAC 392-137-025 Nonresident students twenty-one years of age or older—Agreement between student and nonresident district required.

WAC 392-137-030 Resident students twenty-one years of age or older—Agreement between student and resident district required.

WAC 392-137-035 Contents of agreement.

WAC 392-137-040 District policies—Procedures and criteria for release of resident students and admission of nonresident students.

WAC 392-137-045 Tuition—Enrollment in compliance or noncompliance with an arrangement.

WAC 392-137-051 Right of appeal.

WAC 392-137-055 Appeal notice.

WAC 392-137-060 Hearing.

WAC 392-137-065 Grounds for order of release.

WAC 392-137-070 Per se special hardship or detrimental hardships.

WSR 90-12-075

PERMANENT RULES

STATE BOARD OF EDUCATION

[Filed June 1, 1990, 3:42 p.m.]

Date of Adoption: May 18, 1990.

Purpose: To amend rules for editorial and clarification purposes; to repeal the recency requirement; to authorize the consultant special certificate for certain ESA roles; and to standardize the requirements for all out-of-state applicants of Washington certification.

Citation of Existing Rules Affected by this Order: Amending WAC 180-79-045, 180-79-049, 180-79-060, 180-79-065, 180-79-075, 180-79-080, 180-79-230, 180-79-245, 180-79-362 and 180-79-364.

Statutory Authority for Adoption: RCW 28A.04.120 and 28A.70.005.

Pursuant to notice filed as WSR 90-08-114 on April 4, 1990.

Changes Other than Editing from Proposed to Adopted Version: WAC 180-79-230 (1)(a)(iii) was revised by deleting the words "basic education"; and WAC 180-79-230 (1)(a)(iv) was revised by adding a sunset clause as of August 31, 1991.

Effective Date of Rule: Thirty-one days after filing.

June 1, 1990

Monica Schmidt

Secretary

Executive Director

AMENDATORY SECTION (Amending Order 3-88, filed 2/17/88)

WAC 180-79-045 CERTIFICATES—PREVIOUS STANDARDS. (1) Certificates issued under previous standards which were issued for a specific term shall continue to be effective for that term. All persons who hold any standard teacher, administrator, or specialized personnel certificate issued under previous standards of the state board of education shall be issued a continuing certificate at such time as it is necessary for them to reinstate a standard certificate or on application and payment of the fee as specified in WAC 180-75-

065(1): PROVIDED, That until August 31, 1992, all persons who hold any provisional or initial certificate granted under previous standards of the state board of education shall be authorized to meet requirements for standard or continuing certification as set forth in the relevant previous standards so long as the standard or continuing certificate is obtained within six calendar years of the date on which the first provisional or initial certificate was issued; and, if such requirements are met, shall be issued a continuing certificate subject to the conditions of this chapter: PROVIDED FURTHER, That all persons who hold other than provisional or standard teaching certificates issued under standards of the state board of education adopted prior to 1971 shall be issued continuing certificates if they have completed forty-five quarter hours (thirty semester hours) of preparation past the baccalaureate degree and three years of experience: PROVIDED FURTHER, That ~~((persons holding provisional credentials as administrators under standards adopted by the state board of education in 1956 who have completed all requirements for the standard credential except the three years of experience as a principal or superintendent shall be issued continuing administrator certificates under these standards if they have completed at least five years of experience in an educational setting and three years of experience in the role of superintendent, principal, vice principal, or deputy or assistant to a principal or superintendent: PROVIDED FURTHER, That))~~ any person holding a provisional certificate as a school nurse under provisions of chapter 180-84 WAC shall be granted a continuing certificate: PROVIDED FURTHER, That any person who holds a provisional principal's or provisional superintendent's certificate under previous standards of the state board of education shall be issued upon application, including payment of applicable fees, continuing administrative certificates with endorsements for such respective roles and such certificates shall be subject to the continuing education requirements of chapter 180-85 WAC.

(2) Except as noted in subsection (1) of this section, certificates issued under previous standards which were issued for an indefinite period shall continue to be in effect.

AMENDATORY SECTION (Amending Order 3-88, filed 2/17/88)

WAC 180-79-049 PROFESSIONAL PREPARATION PROGRAM REQUIREMENT FOR CERTIFICATION. All applicants for certification, except as otherwise provided in WAC 180-79-230 and 180-79-245, in order to be certified within the state of Washington shall have completed a state approved preparation program in the professional field for which certification is to be issued. In addition, candidates for principal's certificates must have completed a state approved preparation program for certification as a teacher and candidates for superintendent's certificates must have completed a state approved preparation program for certification as a teacher or educational staff associate.

AMENDATORY SECTION (Amending Order 27-88, filed 12/14/88)

WAC 180-79-060 LEVELS OF CERTIFICATES. Two levels of certification may be issued:

(1) Initial certificate. The initial (~~((teaching))~~) teacher certificate is valid for two years and the initial administrator and educational staff associate certificates are valid for seven years. Initial (~~((teaching))~~) teacher certificates shall be subject to renewal (~~((and reinstatement))~~) pursuant to WAC 180-79-065. Initial administrator and educational staff associate certificates shall not be subject to renewal (~~((but may be reinstated pursuant to WAC 180-79-065(4)))~~): PROVIDED, That initial (~~((teaching))~~) teacher certificates issued or applied for, if the candidate is otherwise eligible, prior to August 31, 1992, shall be valid for four years.

(2) Continuing certificate. The continuing certificate is valid on a continuing basis as specified in WAC 180-79-065(2).

AMENDATORY SECTION (Amending Order 27-88, filed 12/14/88)

WAC 180-79-065 INITIAL AND CONTINUING CERTIFICATES—APPLICABLE CONDITIONS. The following shall apply to initial and continuing certificates issued pursuant to this chapter:

(1) Initial certificate.

(a) An initial teacher certificate issued prior to August 31, 1992, and an initial educational staff associate or administrator certificate issued prior to August 31, 1988, may be renewed for an additional three-year period on application and verification that the individual has completed all course work requirements for continuing certification or has completed at least fifteen quarter hours (ten semester hours) of course work since the certificate was issued or renewed.

(b) An initial (~~((teaching))~~) teacher certificate issued on or after August 31, 1992 may be renewed for a three-year period by the applicant providing proof that he or she is enrolled in an approved masters degree program. A second renewal for a two-year period shall be granted if the candidate provides the following information from the degree granting institution:

(i) That the candidate has made substantial—i.e., fifty percent or more—progress toward the completion of an approved masters degree;

(ii) That the candidate has made satisfactory progress in the approved masters degree program;

(iii) That the candidate has made satisfactory arrangements to complete the approved masters degree program during the two-year extension period.

(2) Continuing certificate.

(a) The continuing certificates of holders who were eligible for such certificates prior to August 31, 1987 and who applied for such certificates prior to July 1, 1988 or who would have been eligible for such certificates prior to August 31, 1987, but for one of the three-year experience requirement and who complete such requirement and apply for such certificate prior to August

31, 1988, will be valid for life. Holders of valid continuing certificates affected by this subsection shall be entitled to have such certificate reissued and subject to the terms and conditions applicable to certification at the time of reissuance including the continuing education requirements of chapter 180-85 WAC.

(b) All continuing certificates not affected by the exception stated in (a) of this subsection shall lapse if the holder does not complete the continuing education requirement specified in chapter 180-85 WAC. To reinstate such a lapsed continuing certificate the individual must complete the requirements for reinstatement stated within chapter 180-85 WAC.

~~((3) Recency of training. Prior to August 31, 1993, if an applicant for an initial certificate has not completed fifteen quarter (ten semester) hours of course work within the seven years immediately preceding application for such initial certificate, he/she will be required to complete fifteen quarter (ten semester) hours of course work prior to receipt of an initial certificate.))~~

AMENDATORY SECTION (Amending Order 27-88, filed 12/14/88)

WAC 180-79-075 CERTIFICATE ENDORSEMENT. Professional education certificates shall be endorsed as follows:

(1) Teacher certificates shall specify endorsements in subject area(s) and grade level(s) (~~((PROVIDED, That notwithstanding provisions of this chapter to the contrary, applicants who have completed all requirements for continuing teaching certificates pursuant to WAC 180-79-060 prior to August 31, 1987, and whose certificates are applied for prior to July 1, 1988, and applicants who have completed all requirements except one of the three-year experience requirement for continuing teaching certificates pursuant to WAC 180-79-060 and who complete such requirement and apply for such certificates prior to August 31, 1988, and applicants who complete the requirements for standard certificates or continuing certificates pursuant to WAC 180-80-705 shall receive no endorsements))~~).

(2) Educational staff associate certificates shall identify the field of specialization by endorsement.

(3) Administrator certificates shall identify the field of specialization (principal, program administrator, superintendent) by endorsement.

Principals' initial certificates shall be endorsed for grades preschool-9, 4-12, or preschool-12 based on recommendations from the college or university in which the candidate completed an approved preparation program.

(4) In order to change or add an endorsement to any certificate, the candidate must complete an application, pay the certification fee specified in WAC 180-75-065, and submit verification of completion of the necessary requirements specified in this chapter.

AMENDATORY SECTION (Amending Order 3-88, filed 2/17/88)

WAC 180-79-080 AUTHORIZED ENDORSEMENTS FOR TEACHERS. Endorsements for grade

levels and subject areas within such grade levels for certificated teachers receiving endorsements shall be limited to the following:

(1) Preschool through grade three endorsements shall be granted in the subject area of:

- (a) Early childhood special education.
- (b) Early childhood education.

(2) Grade kindergarten through grade ~~((six))~~ eight endorsements shall be granted in the subject area of elementary education which shall include all subject areas taught in such grades ~~((: PROVIDED, That endorsements granted pursuant to this subsection prior to August 31, 1992, shall be for grade kindergarten through grade eight))~~.

(3) Grade kindergarten through grade twelve endorsements shall be granted in:

- (a) Art
- (b) Music (broad subject area endorsement) and the specialized subject areas of:

- (i) Choral music
- (ii) Instrumental music
- (c) Physical education
- (d) Reading
- (e) Designated foreign language
- (f) Special education
- (g) Learning resources
- (h) English as a second language
- (i) Bilingual education.

(4) Grade four through grade twelve endorsements shall be granted in:

(a) English/language arts (broad subject area endorsement) and the specialized English/language arts subject areas of:

- (i) Drama
- (ii) English
- (iii) Journalism
- (iv) Speech.

(b) Science (broad subject area endorsement) and the specialized science subject areas of:

- (i) Biology
- (ii) Chemistry
- (iii) Earth science
- (iv) Physics.

(c) Social studies (broad subject area endorsement) and the specialized social studies subject areas of:

- (i) Anthropology
- (ii) Economics
- (iii) Geography
- (iv) History
- (v) Political science
- (vi) Psychology
- (vii) Sociology.

(d) The specialized subject areas of:

- (i) Agriculture
- (ii) Business education
- (iii) Computer science
- (iv) Health
- (v) Home and family life education (formerly home economics)
- (vi) Technology education (formerly industrial arts)
- (vii) Mathematics
- (viii) Marketing education.

(5) Traffic safety endorsements may be noted on certificates issued under this chapter if the candidate meets the requirements of the regulations promulgated by the superintendent of public instruction pursuant to RCW 28A.08.010(3).

AMENDATORY SECTION (Amending Order 12-89, filed 5/31/89)

WAC 180-79-230 LIMITED CERTIFICATES. Notwithstanding other requirements prescribed in this chapter for eligibility for certification in the state of Washington, the following certificates shall be issued under specific circumstances set forth below for limited ~~((periods of))~~ service:

(1) Consultant special teacher or educational staff associate certificate.

(a) The issuance of consultant special certificates is limited to:

(i) Persons highly qualified and experienced in fields of knowledge to be taught in the common or nonpublic schools;

(ii) Persons who qualify to instruct in the traffic safety program as paraprofessionals pursuant to WAC 392-153-020 (2) and (3);

(iii) Persons who are assigned instructional responsibility for intramural/interscholastic activities which are part of the district approved program;

(iv) Persons who possess a baccalaureate or higher degree as otherwise required in WAC 180-79-125 and who possess a state of Washington license for a nurse, occupational therapist, or physical therapist: PROVIDED, That this exception to other certification requirements shall terminate as of midnight August 31, 1991.

(b) Such certificates are issued to individuals who are screened by the local school district or educational service district superintendents. The educational service district or local district superintendent will verify that the following criteria have been met when requesting the consultant special teacher or educational staff associate certificate:

(i) No person with regular certification in the field is available as verified by the district or educational service district superintendent;

(ii) The individual will be delegated primary responsibility for planning, conducting, and evaluating instructional or educational staff associate activities and will not be serving in a paraprofessional role which would not require certification;

(iii) The individual is being certificated for a limited assignment and responsibility in a specified activity/field;

(iv) Personnel so certificated will be oriented and prepared for the specific assignment and will be apprised of any legal liability, the lines of authority, and the duration of the assignment; and

(v) The district or educational service district superintendent will indicate the basis on which he/she has determined that the individual is competent for the assignment and will verify that general requirements for certification as set forth in WAC 180-75-085 (1) and (2) have been met.

(c) The certificate is valid for one year and only for the activity specified, by endorsement, on such certificate. The certificate may be reissued on application and evidence that requirements continue to be met: **PROVIDED**, That the superintendent of public instruction may extend the validity of the certificate for more than one year but no more than four years.

(2) Substitute certificate.

(a) The substitute certificate entitles the holder to act as substitute during the absence of the regularly certified staff member for a period not to exceed thirty consecutive school days during the school year in any one assignment. This certificate may be issued to:

(i) Teachers, educational staff associates or administrators whose state of Washington certificates have expired, or

(ii) Persons who have completed state approved preparation programs at regionally accredited colleges and universities for certificates.

(b) The substitute certificate is valid for life:

(c) **PROVIDED**, That if the district has exhausted or reasonably anticipates it will exhaust its list of qualified substitutes who are willing to serve as substitutes, the superintendent of public instruction may issue emergency substitute certificates to persons not fully qualified under this subsection for use in a particular school district once the list of otherwise qualified substitutes has been exhausted. Such emergency substitute certificates shall be valid for three years.

(3) Emergency certification.

(a) Emergency certification for specific positions may be issued upon the recommendation of school district and educational service district superintendents to persons who hold the appropriate degree and have substantially completed a program of preparation in accordance with Washington requirements for certification: **PROVIDED**, That a qualified person who holds regular certification is not available or that the position is essential and circumstances warrant consideration of issuance of an emergency certificate.

(b) The emergency certificate is valid for one year.

(4) Nonimmigrant alien exchange teacher. Applicants for certification as a nonimmigrant alien exchange teacher must qualify pursuant to WAC 392-193-055(1) and be eligible to serve as a teacher in the elementary or secondary schools of the country of residence.

(5) Nonimmigrant alien foreign language teacher. Applicants for certification as a nonimmigrant alien foreign language teacher must qualify pursuant to WAC 392-193-055(2) and possess a baccalaureate degree or establish equivalency to a baccalaureate degree by having his or her college or university transcripts evaluated as equivalent by any accredited college or university within the state of Washington.

AMENDATORY SECTION (Amending Order 3-88, filed 2/17/88)

WAC 180-79-245 ((~~RECIPROcity~~)) OUT-OF-STATE CANDIDATES. Out-of-state candidates for certification shall not be required to demonstrate passage

of any applicable admission to practice or other applicable examination until making application for a continuing certificate. Candidates for certification (~~(who hold certificates or credentials in other states or who have completed approved or accredited preparation programs in))~~ from other states shall be eligible for Washington certificates as follows:

(1) Initial certificate. The initial certificate shall be issued by the superintendent of public instruction to any candidate who meets one of the following:

(a) Qualifies under provisions of the interstate compact.

(b) Holds the appropriate degree and, if applicable, credit hours and/or licensing as set forth in this chapter and has completed a state approved preparation program at a regionally accredited college or university in the professional field for which the certificate is to be issued and such additional professional fields as required by WAC 180-79-049.

(c) Holds an appropriate degree from a regionally accredited college or university and also holds or has held a certificate in another state and has practiced in that respective role under the appropriate certificate for three years.

(d) Holds an appropriate degree from a regionally accredited college or university and has practiced three years as an educational staff associate in that role in a state where such certificate was not required.

(2) Continuing certificate. The continuing certificate shall be issued on verification that the candidate (~~((meets relevant academic and experience))~~) has met all requirements ((and of passing the exit examination or admission to practice examination required)) for initial (~~(certification in the state of Washington))~~ and (~~(the candidate provides the superintendent of public instruction evidence of complying with the academic and experience requirements within this chapter for))~~ continuing certification in the state of Washington.

AMENDATORY SECTION (Amending Order 4-87, filed 4/3/87)

WAC 180-79-362 HOME AND FAMILY LIFE EDUCATION (FORMERLY HOME ECONOMICS)—SUBJECT AREA ENDORSEMENT. In order to receive an endorsement in home (~~(economics))~~ and family life education, the candidate shall have completed the minimum course work credit hours in the subject area of home (~~(economics))~~ and family life education, including, but not limited to, credit hours in each of the following essential areas of study:

(1) Family relations.

(2) Child growth and development.

(3) Nutrition.

(4) Consumer education or resource management.

AMENDATORY SECTION (Amending Order 4-87, filed 4/3/87)

WAC 180-79-364 TECHNOLOGY EDUCATION (FORMERLY INDUSTRIAL ARTS)—SUBJECT AREA ENDORSEMENT. In order to receive an endorsement in (~~(industrial arts))~~ technology education,

the candidate shall have completed the minimum course work credit hours in the subject area of (~~industrial arts~~) technology education, including, but not limited to, credit hours in each of the following essential areas of study:

- (1) Industrial safety.
- (2) Technology education.
- (3) Industrial arts program management.
- (4) Manufacturing, construction, communications, or transportation.

WSR 90-12-076
PERMANENT RULES
STATE BOARD OF EDUCATION

[Filed June 1, 1990, 3:48 p.m.]

Date of Adoption: May 18, 1990.

Purpose: To revise the administrative process for the continuing education requirement that will facilitate its implementation for the recipient of the credits/hours, the in-service provider, and the OSPI office.

Citation of Existing Rules Affected by this Order: Repealing WAC 180-85-080, 180-85-083 and 180-85-202; and amending WAC 180-85-045, 180-85-085, 180-85-100, 180-85-105, 180-85-110, 180-85-115 and 180-85-205.

Statutory Authority for Adoption: RCW 28A.70.005.

Pursuant to notice filed as WSR 90-08-115 on April 4, 1990.

Effective Date of Rule: Thirty-one days after filing.

June 1, 1990

Monica Schmidt

Secretary

Executive Director

AMENDATORY SECTION (Amending Order 16-87, filed 12/21/87)

WAC 180-85-045 APPROVED IN-SERVICE EDUCATION AGENCY—DEFINITION. As used in this chapter, the term "approved in-service education agency" shall mean an agency approved by the state board of education to provide in-service education programs and to grant continuing education credit hours to all or a selective group of educators. Such agency must demonstrate the following characteristics:

(1) The agency is one of the following entities or a department or section within such entities:

(a) A college or university referenced in WAC 180-85-025(1);

(b) A professional organization which for the purpose of this chapter shall mean any local, state, regional, or national organization composed primarily of teachers, administrators, and/or educational staff associates;

(c) A school district, an educational service district, and the superintendent of public instruction; or

(d) An approved private school which for the purpose of this chapter shall mean the same as provided in WAC 180-90-112.

(2) The agency has either a committee or board of directors which provides prior approval to proposed in-service education programs on the basis that the proposed programs are designed to meet the program standards set forth in WAC 180-85-200. In the case of school districts or educational service districts the committee shall be composed of the same representatives as required by RCW 28A.71.210—i.e., "representatives from the ranks of administrators, building principals, teachers, classified and support personnel . . . , the public . . . , and . . . institution(s) of higher education, . . ."

AMENDATORY SECTION (Amending Order 28-88, filed 12/14/88)

WAC 180-85-085 IN-SERVICE EDUCATION RECORDS. Holders of certificates affected by this chapter (~~who do not claim credit pursuant to WAC 180-85-080 for the same in-service education program~~) shall (~~cause the transmission of~~) retain the necessary (~~information to claim continuing education credit hours by the~~) in-service (~~provider to the superintendent of public instruction, on forms provided or approved by the superintendent of public instruction and distributed to registrants by~~) records from the approved in-service provider for the purpose of an audit by the superintendent of public instruction. Such holders shall be notified on such form that the intentional misrepresentation of a material fact on such form subjects the holder to revocation of his or her certificate pursuant to chapter 180-86 WAC and that a copy of such completed form should be retained by the holder for possible disputes arising under this chapter and for other purposes that may arise, including verification of in-service hours completed for a current or prospective employer.

AMENDATORY SECTION (Amending Order 8-86, filed 6/10/86)

WAC 180-85-100 CALCULATION OF LAPSE DATES. The lapse dates of certificates affected by this chapter shall be calculated as follows:

(1) Certificates issued prior to (~~July 1~~) October 1 of a given year shall have a lapse date of (~~June 30~~) August 31 of the subsequent fifth calendar year and of each fifth calendar year thereafter.

(2) Certificates issued on or after (~~July 1~~) October 1 of a given year shall have a lapse date of (~~June 30~~) August 31 of the subsequent sixth calendar year and of each fifth calendar year thereafter.

(3) If a holder of an affected professional certificate qualifies for a different affected professional certificate—e.g., a holder of a continuing teaching certificate who subsequently qualifies for a continuing administrative certificate—the lapse dates of the new affected professional certificate shall be the same as provided on the first affected professional certificate.

(4) If a holder of a certificate, issued prior to the effective date of the 1990 amendments to this section, has a lapse date of June 30 the certificate is hereby extended to August 31 of the same year without reissuance of the certificate.

AMENDATORY SECTION (Amending Order 8-86, filed 6/10/86)

WAC 180-85-105 SPI INITIAL NOTICE TO CERTIFICATE HOLDERS OF CONTINUING EDUCATION REQUIREMENT. Upon issuance or reinstatement of an affected professional certificate, the superintendent of public instruction shall notify the holder of the lapse date and shall provide such holder with a written explanation of the continuing education requirements of this chapter and the holder's responsibility to keep accurate records demonstrating attendance at approved in-service education programs ~~((in order to challenge discrepancies in reports by approved in-service education agencies and to transmit college and university transcripts in a timely manner in order to demonstrate completion of such courses prior to lapse dates))~~. In addition, the superintendent of public instruction shall provide the certificate holder with a form to be completed by the certificate holder which indicates compliance with the continuing education requirements and which includes instruction for filing the report with the superintendent of public instruction.

NEW SECTION

WAC 180-85-106 FILING REQUIREMENT WITH SPI. Each certificate holder, affected by the continuing education requirements of this chapter, shall be responsible for filing with the superintendent of public instruction, prior to the lapse date, a verification form supplied by the superintendent of public instruction, which indicates compliance with the continuing education requirements of this chapter. Such form shall:

- (1) Provide space for indicating how the certificate holder met the continuing education requirement.
- (2) Include an attestation by the certificate holder as to the accuracy of the information provided.
- (3) State thereon that misrepresentation of any fact shall be an act of unprofessional conduct for which the holder's certificate may be revoked.

NEW SECTION

WAC 180-85-107 DOCUMENTATION REQUIREMENT. Each certificate holder filing a report with the superintendent of public instruction shall be responsible for retaining records which document compliance with the continuing education requirements. Such documents shall include:

- (1) In-service registration forms approved by the superintendent of public instruction and furnished by an approved in-service education agency.
- (2) College and university grade sheets or transcripts which indicate completion of courses.
- (3) Any official correspondence from an approved in-service agency which verifies completion of three or more clock hours.

NEW SECTION

WAC 180-85-108 DOCUMENTATION RETENTION PERIOD. Documents indicating compliance with the continuing education requirement must be retained

by the certificate holder for one year after the lapse date or until such documentation is audited by the superintendent of public instruction, whichever is earlier.

NEW SECTION

WAC 180-85-109 SPI AUDITS OF DOCUMENTATION. Each year the superintendent of public instruction shall audit at least five percent of the continuing education compliance forms filed with the superintendent of public instruction. Such audit may consist of requesting the affected certificate holder to supply the superintendent of public instruction copies of the documents which indicate compliance and/or may consist of any other audit procedure deemed necessary by the superintendent of public instruction in order to check compliance.

AMENDATORY SECTION (Amending Order 8-86, filed 6/10/86)

WAC 180-85-110 SPI SUBSEQUENT NOTICE TO CERTIFICATE HOLDERS OF CONTINUING EDUCATION REQUIREMENT. On or before February 1 of the year ~~((prior to))~~ of the lapse date for affected certificate holders, the superintendent of public instruction shall notify by mail each affected certificate holder who has not completed a report indicating completion of the one hundred fifty continuing credit hours ~~((since the commencement of his or her current lapse period;))~~ that his or her certificate will lapse as of ~~((June 30))~~ August 31 of the ~~((following))~~ current calendar year unless the continuing education requirement is met. ~~((Included with such notice shall be a statement indicating the number of continuing credit hours remaining to be completed by such holder prior to the lapse date and a written explanation of the continuing education requirements of this chapter.))~~ In the event such notice is returned to the superintendent of public instruction for any reason, the name and certification number of each such person shall be placed upon a list which shall be circulated in the form of a bulletin by the superintendent of public instruction to each school district, approved private school, and educational service district with a request to notify such employees, if employed by such agency, of the forthcoming lapse date and to notify the superintendent of public instruction of any change in name or address.

AMENDATORY SECTION (Amending Order 8-86, filed 6/10/86)

WAC 180-85-115 SPI NOTICE OF LAPSED CERTIFICATE. On or before ~~((August))~~ October 1 of each year, the superintendent of public instruction shall make reasonable attempts to notify ~~((by certified mail))~~ each affected certificate holder whose certificate has lapsed the preceding ~~((June 30th))~~ August 31 of such status. The notice shall include procedures for reinstatement and procedures for disputing the lapsed status. In addition, on or before ~~((August 15))~~ October 1 of each year, the superintendent of public instruction shall notify by bulletin each school district, approved private school,

and educational service district of the name and certificate number of each holder of an affected certificate whose certificate has lapsed the preceding ~~((June 30th))~~ August 31.

AMENDATORY SECTION (Amending Order 16-87, filed 12/21/87)

WAC 180-85-205 REQUIRED RECORDKEEPING BY APPROVED IN-SERVICE EDUCATION AGENCIES. Each approved in-service education agency shall provide the following record service:

(1) Documentation that the in-service education program, including the program agenda, received ~~((the prior))~~ approval by the board or committee provided in WAC 180-85-045(2) prior to offering the in-service program.

(2) A copy of the summary of evaluations required by WAC 180-85-200(5); and

(3) A copy of the minutes of the board or advisory committee which demonstrates that such board or advisory committee reviewed the assessment required by WAC 180-85-200(6).

(4) A list, for each in-service education program, of all participants who have requested continuing education credit hours by signing a registration form made available at the in-service education program. Such registration form shall provide space for the registrant to indicate he or she is requesting fewer hours than the amount calculated for the entire in-service education program due to partial attendance.

(5) ~~((The name, certification number, the number of continuing education credits granted for each registrant of an in-service education program who is claiming continuing education credit hours for certification purposes; and the date, title, and sponsor of each in-service program shall be transmitted to the superintendent of public instruction or his or her designated recordkeeping agency within forty-five days of the completion of all or a portion of each in-service education program.~~

(6)) The registrant ~~((claiming continuing education credit hours))~~ shall be provided ~~((evidence of attendance))~~ a form to be completed at the in-service education program ((within forty-five days of completion of the in-service education program)) which includes the necessary information for recording in-service credits, and upon request if such request is made within seven calendar years of such in-service education program, including the number of continuing education credit hours ~~((granted and reported pursuant to subsection (5) of this section))~~ recorded. In addition, the registrant shall be given specific instructions regarding the need to preserve the record and how to correct the record if attendance or credit hours has been ~~((reported))~~ recorded by the approved in-service education agency inaccurately.

~~((7))~~ (6) The above records shall be available for inspection by the superintendent of public instruction for a period of seven calendar years from the date of each in-service education program. The amendments to this section reducing the amount of recordkeeping by in-service providers shall apply retroactively to August 31, 1987.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 180-85-080 COLLEGE AND UNIVERSITY TRANSCRIPTS.

WAC 180-85-083 VTI COURSE HOUR VERIFICATION.

WAC 180-85-202 PRIOR NOTICE TO SPI OF SPONSORSHIP OF AN IN-SERVICE PROGRAM.

WSR 90-12-077

EMERGENCY RULES

PUBLIC DISCLOSURE COMMISSION

[Filed June 1, 1990, 3:49 p.m.]

Date of Adoption: May 22, 1990.

Purpose: Adopts a form for registration and reporting by sponsors of grass roots lobbying campaigns.

Citation of Existing Rules Affected by this Order: Amending WAC 390-20-125.

Statutory Authority for Adoption: RCW 42.17.370.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: New legislation takes effect June 7, 1990.


Effective Date of Rule: Immediately.

May 31, 1990

Graham E. Johnson
Executive Director

AMENDATORY SECTION (Amending Order 85-05, filed 11/26/85)

WAC 390-20-125 FORMS FOR REGISTRATION AND REPORTING BY SPONSORS OF GRASS ROOTS LOBBYING CAMPAIGNS. The official form for registration and reporting by sponsors of grass roots lobbying campaigns as required by RCW 42.17.200 is designated "L-6", revised 6/90. Copies of this form are available at the commission office, Room 403, Evergreen Plaza Building, Olympia, Washington 98504. Any attachments shall be on 8-1/2" x 11" white paper.



State of Washington
Public Disclosure Commission

GRASS ROOTS LOBBYING

PDC FORM
L-6
(12/85)

PDC OFFICE USE

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SPONSOR'S NAME _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____ PHONE _____

1. DESCRIBE THE TOPIC(S) OR LEGISLATION ABOUT WHICH THE CAMPAIGN IS CONDUCTED. INCLUDE BILL, RULE, RATE, STANDARD NUMBER, IF ANY.

3. LIST THE PRINCIPAL OFFICERS OF THE GROUP OR ORGANIZATION IF THE SPONSOR IS A BUSINESS, UNION, ASSOCIATION, POLITICAL ORGANIZATION OR OTHER ENTITY.

NAME	TITLE	ADDRESS

2. THIS REPORT COVERS:

REGISTRATION (INITIAL REPORT)

MONTHLY REPORT FROM _____ TO _____

FINAL REPORT (CAMPAIGN IS ENDED)

4. WHO IS ORGANIZING OR MANAGING THE CAMPAIGN? LIST PERSONS OR FIRMS HIRED TO ASSIST IN THE CAMPAIGN, INCLUDING PUBLIC RELATIONS AND ADVERTISING AGENTS

NAME AND ADDRESS	OCCUPATION OR BUSINESS	TERMS OF COMPENSATION

5. EXPENDITURES MADE OR INCURRED IN THE CAMPAIGN:

1. Previous expenditures (from line 4, last L-6 report)	\$ _____
2. Expenses this reporting period:	
A. Radio	_____
B. Television	_____
C. Newspapers, magazines	_____
D. Brochures, signs	_____
E. Printing and mailing	_____
F. Consultants, public relations	_____
G. Office expense, travel, salaries	_____
H. Contributions	_____
I. Entertainment	_____
J. Other expenses	_____
3. Total expenditures this period (lines 2a-2j)	_____
4. Total expenditures in the campaign (lines 1 + 3)	_____

6. CONTRIBUTIONS:

LIST EACH PERSON OR ORGANIZATION WHO HAS CONTRIBUTED \$25 OR MORE DURING THIS REPORT PERIOD

NAME	ADDRESS, CITY, ZIP	AMOUNT

LIST TOTAL AMOUNT FROM ANY ATTACHED PAGES.....

TOTAL AMOUNT RECEIVED IN CONTRIBUTIONS LESS THAN \$25 WHERE CONTRIBUTOR'S NAME IS NOT LISTED....

TOTAL CONTRIBUTIONS THIS PERIOD.....

CONTRIBUTIONS PREVIOUSLY REPORTED.....

TOTAL CONTRIBUTIONS DURING THE CAMPAIGN.....

CERTIFICATION: I HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE INFORMATION CONTAINED IN THIS REPORT IS TRUE AND CORRECT.

SIGNATURE

TITLE DATE

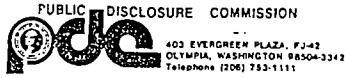
INSTRUCTIONS

WHO SHOULD FILE THIS FORM: Any sponsor, i.e., any person who has made expenditures, not reported under other sections of the Public Disclosure Act, exceeding \$1,000 within any three month period or exceeding \$500 within any one month period in presenting a program addressed to the public, a substantial portion of which is intended, designed, or calculated primarily to influence state legislation.

FILING DEADLINE: Within 30 days after becoming a sponsor. Monthly reports required on the 10th of the following month. Termination statement to be filed with final monthly report.

SEND REPORT TO: PUBLIC DISCLOSURE COMMISSION
403 Evergreen Plaza Bldg.
Olympia, WA 98504

QUESTIONS: CALL (206) 753-1111



GRASS ROOTS LOBBYING

PDC FORM
L-6
172-663

PDC OFFICE USE

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(6/90)

SPONSOR'S NAME _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____ PHONE _____

1. DESCRIBE THE TOPIC(S) OR LEGISLATION ABOUT WHICH THE CAMPAIGN IS CONDUCTED. INCLUDE BILL, RULE, RATE, STANDARD NUMBER, IF ANY.

2. THIS REPORT COVERS:

REGISTRATION (INITIAL REPORT)

MONTHLY REPORT FROM _____ TO _____

FINAL REPORT (CAMPAIGN IS ENDED)

3. LIST THE PRINCIPAL OFFICERS OF THE GROUP OR ORGANIZATION IF THE SPONSOR IS A BUSINESS, UNION, ASSOCIATION, POLITICAL ORGANIZATION OR OTHER ENTITY.

NAME	TITLE	ADDRESS

4. WHO IS ORGANIZING OR MANAGING THE CAMPAIGN? LIST PERSONS OR FIRMS HIRED TO ASSIST IN THE CAMPAIGN, INCLUDING PUBLIC RELATIONS AND ADVERTISING AGENTS

NAME AND ADDRESS	OCCUPATION OR BUSINESS	TERMS OF COMPENSATION

5. EXPENDITURES MADE OR INCURRED IN THE CAMPAIGN:

1. Previous expenditures (from line 4, last L-6 report) \$ _____

2. Expenses this reporting period:

A. Radio	_____
B. Television	_____
C. Newspapers, magazines	_____
D. Brochures, signs	_____
E. Printing and mailing	_____
F. Consultants, public relations	_____
G. Office expense, travel, salaries	_____
H. Contributions	_____
I. Entertainment	_____
J. Other expenses	_____

3. Total expenditures this period (lines 2a-2j) _____

4. Total expenditures in the campaign (lines 1 + 3) _____

LIST EACH PERSON OR ORGANIZATION WHO HAS CONTRIBUTED \$25 OR MORE DURING THIS REPORT PERIOD

NAME	ADDRESS, CITY, ZIP	AMOUNT

LIST TOTAL AMOUNT FROM ANY ATTACHED PAGES

TOTAL AMOUNT RECEIVED IN CONTRIBUTIONS LESS THAN \$25 WHERE CONTRIBUTOR'S NAME IS NOT LISTED ...

TOTAL CONTRIBUTIONS THIS PERIOD

CONTRIBUTIONS PREVIOUSLY REPORTED

TOTAL CONTRIBUTIONS DURING THE CAMPAIGN

Certification: I hereby certify under penalty of perjury that the information contained in this report is true and correct to the best of my knowledge.

Name and Title (type or print)	Signature	Date
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INSTRUCTIONS

Who Should File This Form: Any person making grass roots lobbying expenditures not reported by a registered lobbyist, a candidate, or a political committee exceeding \$1,000 in the aggregate in any three-month period or exceeding \$500 in the aggregate in any one month in presenting a program addressed to the public, a substantial portion of which is intended, designed, or calculated primarily to influence state legislation.

Filing Deadline: Within 30 days after becoming a sponsor of a grass roots lobbying campaign. Thereafter, sponsors file monthly reports on the 10th of the month covering the preceding calendar month. Termination notice is to accompany the final monthly report.

Send Report To: Public Disclosure Commission
403 Evergreen Plaza Building, FJ-42
Olympia, WA 98504

Questions: Call (206) 753-1111

PDC Form 1-6 (Rev. 6/90)

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

WSR 90-12-078
PERMANENT RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION

[Order 10—Filed June 1, 1990, 3:50 p.m.]

Date of Adoption: May 30, 1990.

Purpose: To implement RCW 28A.41.110(2) which requires school districts to maintain a ratio of 46 basic education certificated instructional staff per 1000 full-time equivalent students.

Statutory Authority for Adoption: RCW 28A.41.170(1).

Pursuant to notice filed as WSR 90-09-020 on April 10, 1990.

Effective Date of Rule: Thirty-one days after filing.

June 1, 1990
Judith A. Billings
Superintendent of
Public Instruction

Chapter 392-127 WAC
~~FINANCE—((ADMINISTRATIVE SALARY AND INSURANCE BENEFITS))~~ CERTIFICATED INSTRUCTIONAL STAFF RATIO (46:1000) COMPLIANCE

AUTHORITY AND PURPOSE

NEW SECTION

WAC 392-127-004 **AUTHORITY.** The authority for this chapter is RCW 28A.41.170(1) which empowers the superintendent of public instruction to make such rules and regulations as are necessary for the administration of chapter 28A.41 RCW, including RCW 28A.41.110(2) which sets forth for each school district as a minimum, a ratio in the basic education program of forty-six certificated instructional staff per one thousand annual average full-time equivalent students.

NEW SECTION

WAC 392-127-006 **PURPOSE.** The purpose of this chapter is to set forth the policies and procedures used by the superintendent of public instruction to determine the following:

(1) Compliance of school districts with the statutory ratio of certificated instructional staff per one thousand full-time equivalent students in kindergarten through twelfth grade set forth in RCW 28A.41.110(2).

(2) The monetary penalty associated with not maintaining this ratio.

NEW SECTION

WAC 392-127-011 **OTHER RATIO REQUIREMENTS.** School districts are advised that compliance with this chapter does not ensure compliance with the following statutes:

(1) RCW 28A.41.130, which requires that the ratio of students per classroom teacher in kindergarten through third grade be no greater than the ratio of students per classroom teacher in fourth through twelfth grade.

(2) Section 502(10), chapter 19, Laws of 1989 1st ex. sess. (uncodified), (Omnibus Appropriations Act) which sets forth a staffing and funding process to increase certificated instructional staff ratios in kindergarten through third grade to a level greater than that provided in statute.

DEFINITIONS

NEW SECTION

WAC 392-127-015 **FTE ENROLLMENT—DEFINITION.** As used in this chapter, "full-time equivalent enrollment" means for the period selected by the school district:

(1) Total full-time equivalent students reported by a school district pursuant to WAC 392-121-122; minus

(2) Handicapped full-time equivalent students calculated pursuant to WAC 392-122-131 and based on the enrollment reported by a school district pursuant to WAC 392-122-106; minus

(3) Full-time equivalent students enrolled in learning centers reported by a school district as required by the superintendent of public instruction.

NEW SECTION

WAC 392-127-020 **SPI FORM S-275—DEFINITION.** As used in this chapter, "SPI Form S-275" means the same as defined in WAC 392-121-220.

NEW SECTION

WAC 392-127-025 **SCHOOL YEAR—DEFINITION.** As used in this chapter, "school year" means the same as defined in WAC 392-121-031.

NEW SECTION

WAC 392-127-030 **CURRENT SCHOOL YEAR—DEFINITION.** As used in this chapter, "current school year" means the school year for which the calculations set forth in this chapter are being performed.

NEW SECTION

WAC 392-127-035 **FOLLOWING SCHOOL YEAR—DEFINITION.** As used in this chapter, "following school year" means the school year immediately after the current school year.

NEW SECTION

WAC 392-127-040 ACADEMIC YEAR—DEFINITION. As used in this chapter, "academic year" means any nine-month period within the current school year in which the minimum one hundred eighty school days required by law is conducted.

NEW SECTION

WAC 392-127-045 FTE BASIC EDUCATION CERTIFICATED INSTRUCTIONAL EMPLOYEE—DEFINITION. As used in this chapter, "full-time equivalent basic education certificated instructional employee" means for a basic education certificated instructional employee as defined in WAC 392-121-210 the full-time equivalent calculated pursuant to WAC 392-121-215.

NEW SECTION

WAC 392-127-050 ADDITION FTE—DEFINITION. As used in this chapter, "addition full-time equivalent" means the increase in full-time equivalent for a basic education certificated instructional employee who is not reported on SPI Form S-275 or whose certificated instructional full-time equivalent is increased after October 1 of the current school year calculated as follows:

(1) Determine the basic education certificated instructional full-time equivalent that would have been reported for the employee on SPI Form S-275 if the employee had served the full academic year at the level of service after the contract change;

(2) Subtract the basic education certificated instructional full-time equivalent as of October 1 as reported for the employee on SPI Form S-275 from the result obtained in subsection (1) of this section;

(3) Multiply the result obtained in subsection (2) of this section by the number of months remaining in the academic year that the employee serves at the level of service after the contract change, including the month the change occurred; and

(4) Divide the result obtained in subsection (3) of this section by nine.

NEW SECTION

WAC 392-127-055 REDUCTION FTE—DEFINITION. As used in this chapter, "reduction full-time equivalent" means the decrease in full-time equivalent for a basic education certificated instructional employee who is no longer employed or whose certificated instructional full-time equivalent is reduced after October 1 of the current school year calculated as follows:

(1) Determine the basic education certificated instructional full-time equivalent that would have been reported for the employee on SPI Form S-275 if the employee had served the full academic year at the level of service after the contract change;

(2) Subtract the basic education certificated instructional full-time equivalent as of October 1 as reported

for the employee on SPI Form S-275 from the result obtained in subsection (1) of this section;

(3) Multiply the result obtained in subsection (2) of this section by the number of months remaining in the academic year that the employee serves at the level of service after the contract change, including the month the change occurred; and

(4) Divide the result obtained in subsection (3) of this section by nine.

NEW SECTION

WAC 392-127-060 REASSIGNMENT FTE—DEFINITION. As used in this chapter, "reassignment full-time equivalent" means the change in full-time equivalent for a basic education certificated instructional employee after October 1 whose certificated instructional full-time equivalent does not change calculated as follows:

(1) Determine the basic education certificated instructional full-time equivalent that would have been reported for the employee on SPI Form S-275 if the employee had served the full academic year at the level of service after the assignment change;

(2) Subtract the basic education certificated instructional full-time equivalent as of October 1 as reported on SPI Form S-275 from the result obtained in subsection (1) of this section;

(3) Multiply the result obtained in subsection (1) of this section by the number of months remaining in the academic year that the employee serves at the level of service after the contract change, including the month the reassignment is in effect; and

(4) Divide the result obtained in subsection (2) of this section by nine.

NEW SECTION

WAC 392-127-065 SUPPLEMENTAL FTE STAFF—DEFINITION. As used in this chapter, "supplemental full-time equivalent staff" means the sum of a school district's addition, reduction, or reassignment full-time equivalents for basic education certificated instructional employees.

NEW SECTION

WAC 392-127-070 BASIC EDUCATION CERTIFICATED INSTRUCTIONAL STAFF RATIO—DEFINITION. As used in this chapter, "basic education certificated instructional staff ratio" means the following calculation:

(1) Add the full-time equivalent basic education certificated instructional employees as reported on SPI Form S-275 and any supplemental full-time equivalent staff;

(2) Divide the result obtained in subsection (1) of this section by the full-time equivalent enrollment for October or that period selected by the school district; and

(3) Multiply the result obtained in subsection (2) of this section by one thousand.

OPERATIVE PROVISIONS

NEW SECTION

WAC 392-127-075 GENERAL PROVISIONS. The following general provisions apply to this chapter:

(1) All calculations made by the superintendent of public instruction shall use the most current school district information for the school year on file with the superintendent of public instruction at the time of the calculation.

(2) Full-time equivalent staff shall be rounded to the nearest three decimal places.

(3) Full-time equivalent enrollment shall be rounded to the nearest two decimal places.

(4) Ratios of full-time equivalent staff to students shall be expressed as a ratio of staff to one thousand students and shall be rounded to two decimal places (e.g., 51.21/1000).

(5) School districts shall have available upon request by the superintendent of public instruction and for audit purposes, such documentation as necessary to support all data reported to the superintendent of public instruction pursuant to this chapter.

(6) The superintendent of public instruction will develop and make available such forms, reports, and other documents necessary to implement this chapter.

NEW SECTION

WAC 392-127-080 SCHOOL DISTRICT REPORTING—REQUIRED REPORTS. On or before the Wednesday prior to Thanksgiving of each school year, each school district shall submit to the superintendent of public instruction on SPI Form S-275 the school district's full-time equivalent basic education certificated instructional staff for the current school year.

NEW SECTION

WAC 392-127-085 SCHOOL DISTRICT REPORTING—OPTIONAL REPORT—STAFF CHANGES. School districts may report to the superintendent of public instruction prior to September 30 of the following school year supplemental full-time equivalent staff for the current school year.

NEW SECTION

WAC 392-127-090 SCHOOL DISTRICT REPORTING—OPTIONAL REPORT—ENROLLMENT CHANGES. A school district may request that the superintendent of public instruction use a different full-time equivalent enrollment to compute staffing ratios than that reported for October. The school district shall request the use of a different enrollment period prior to September 10 of the following school year. The school district may select either one of the following:

(1) The full-time equivalent enrollment for any one month during the current school year; or

(2) The annual average full-time equivalent enrollment for the current school year.

NEW SECTION

WAC 392-127-095 INITIAL REPORT BY THE SUPERINTENDENT OF PUBLIC INSTRUCTION.

Prior to January 31 of each school year the superintendent of public instruction shall report to each school district its basic education certificated instructional staff ratio for the current school year. The report shall include any supplemental data submitted by the school district to the superintendent of public instruction prior to January 1 of the current school year.

NEW SECTION

WAC 392-127-101 INTERIM REPORT BY THE SUPERINTENDENT OF PUBLIC INSTRUCTION. Within thirty days of receiving an optional report of staff or enrollment changes from a school district, the superintendent of public instruction shall report to the school district its basic education certificated instructional staff ratio for the current school year.

NEW SECTION

WAC 392-127-106 FINAL REPORT BY THE SUPERINTENDENT OF PUBLIC INSTRUCTION. Prior to January 1 of the following school year, the superintendent of public instruction shall report to each school district its basic education certificated instructional staff ratio for the current school year. Calculations shall include supplemental data for the current school year submitted by the school district prior to September 30 of the following school year.

NEW SECTION

WAC 392-127-111 CALCULATION OF PENALTY FOR FAILURE TO MAINTAIN STAFFING RATIO. For those school districts with a basic education certificated instructional staff ratio of less than forty-six shown on the school district's final report, the superintendent shall withhold from the next apportionment payment the following:

(1) Subtract the current school year final basic education certificated instructional staff ratio as reported to the school district from forty-six;

(2) Multiply the result obtained in subsection (1) of this section by the current school year full-time equivalent enrollment and further divide by one thousand;

(3) Multiply the result obtained in subsection (2) of this section by the school district's average salary, average mandatory fringe benefits, and health insurance benefits for certificated instructional staff unit used for the purpose of calculating the school district's general apportionment entitlement for the current school year.

(4) The result obtained in subsection (3) of this section is the amount that the superintendent of public instruction shall withhold from the next apportionment payment for the school district in question.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 392-127-003 TERMINATION DATE.

WAC 392-127-005 AUTHORITY.

WAC 392-127-010 PURPOSE.

WSR 90-12-079
PERMANENT RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
[Order 11—Filed June 1, 1990, 3:53 p.m.]

Date of Adoption: May 30, 1990.

Purpose: To change the method of adjusting state basic education allocations for federal forest funds received by school districts in Skamania County to reflect the recent U.S. district court settlement.

Citation of Existing Rules Affected by this Order: Amending WAC 392-121-420.

Statutory Authority for Adoption: RCW 28A.41.170.

Pursuant to notice filed as WSR 90-09-019 on April 10, 1990.

Effective Date of Rule: Thirty-one days after filing.

June 1, 1990
Judith A. Billings
Superintendent of
Public Instruction

AMENDATORY SECTION (Amending Order 88-8, filed 1/11/88)

WAC 392-121-420 BASIC EDUCATION ALLOCATION—FEDERAL FOREST FUNDS. The superintendent of public instruction shall ((distribute)) allocate federal forest fund((s pursuant to)) moneys received under Title 16, section 500, United States Code and shall adjust basic education allocations in accordance with RCW 28A.02.310 and 28A.41.130: PROVIDED, That allocations of federal forest fund moneys received for school districts in Skamania County pursuant to Title 16, section 500, United States Code and section 8 of Public Law 97-243, the Mt. St. Helens National Volcanic Monument Act, and adjustments to basic education allocations for these school districts, shall be made pursuant to the Judgment and Decree entered by the United States District Court, Western District of Washington at Tacoma, on September 26, 1989, in cause number C87-676TB.

WSR 90-12-080
PERMANENT RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
[Order 12—Filed June 1, 1990, 3:55 p.m.]

Date of Adoption: May 30, 1990.

Purpose: To permit school districts to report changes in assessed valuations used by SPI to calculate local effort assistance and levy authority.

Citation of Existing Rules Affected by this Order: Amending WAC 392-139-900.

Statutory Authority for Adoption: RCW 84.52.0531(10) and 28A.41.170.

Pursuant to notice filed as WSR 90-09-021 on April 10, 1990.

Effective Date of Rule: Thirty-one days after filing.
June 1, 1990
Judith A. Billings
Superintendent of
Public Instruction

AMENDATORY SECTION (Amending Order 18, filed 11/22/89, effective 12/23/89)

WAC 392-139-900 NOTIFICATION OF AMOUNTS CALCULATED. The superintendent of public instruction shall provide notice of amounts calculated pursuant to this chapter as follows:

(1) Prior to ((~~November 1~~)) October 15 of each year, the superintendent of public instruction shall notify each school district of the results of calculations made for the school district for the next calendar year including the following:

- (a) Excess levy authority;
- (b) Maximum excess levy percentage;
- (c) Eligibility for local effort assistance; and
- (d) If eligible for local effort assistance:
 - (i) Maximum local effort assistance;
 - (ii) State matching ratio;
 - (iii) Certified excess levy necessary to qualify for maximum local effort assistance; and

(iv) Projected local effort assistance allocation based on the superintendent of public instruction's estimate of certified excess levies for the next calendar year at the time of the notice.

(2) Prior to November 15 of each year, the superintendent of public instruction shall notify the county assessor and chairman of the board of county commissioners of each county of excess levy authority for the next calendar year for those school districts headquartered in the county.

(3) At the time of the January apportionment payment each year, the superintendent of public instruction shall notify each eligible school district of the amount of the school district's local effort assistance allocations for the year.

NEW SECTION

WAC 392-139-905 SUBMISSION OF REVISED ASSESSED VALUATION DATA AND RECALCULATION. Within fifteen days from the date of the notice provided pursuant to WAC 392-139-900(1), any school district may submit to the superintendent of public instruction revised assessed valuation data for taxes collected in the current calendar year. Revised assessed valuation data shall be documented in writing by the county assessor or assessors from the county or counties in which the school district is located. The superintendent of public instruction shall recalculate excess levy authority and local effort assistance based on the revised assessed valuation data and shall notify the school district submitting revised assessed valuation data and any other affected school districts of the results of the recalculation prior to November 1.

WSR 90-12-081
PERMANENT RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION

[Order 13—Filed June 1, 1990, 3:56 p.m.]

Date of Adoption: May 30, 1990.

Purpose: To implement RCW 28A.120.092 which permits high school dropouts and other at-risk high school students to attend the high school of their choice regardless of residence.

Statutory Authority for Adoption: RCW 28A.120.800.

Other Authority: Chapter 233, Laws of 1989 and RCW 28A.120.092.

Pursuant to notice filed as WSR 90-09-022 on April 10, 1990.

Effective Date of Rule: Thirty-one days after filing.

June 1, 1990
 Judith A. Billings
 Superintendent of
 Public Instruction

NEW SECTION

WAC 392-140-336 1989-90 THROUGH 1993-94 SCHOOL YEAR ENROLLMENT OF RETURNING HIGH SCHOOL STUDENTS—APPLICABLE PROVISIONS AND AUTHORITY. The provisions of WAC 392-140-336 through 392-140-338 apply to enrollment of high school students for the 1989-90 through 1993-94 school years as identified in RCW 28A.120.092. The authority for WAC 392-140-336 through 392-140-901 is RCW 28A.120.800 directing the superintendent of public instruction to adopt rules and regulations as necessary to carry out RCW 28A.120.092.

NEW SECTION

WAC 392-140-337 1989-90 THROUGH 1993-94 SCHOOL YEAR ENROLLMENT OF RETURNING HIGH SCHOOL STUDENTS—AUTHORITY TO REPORT FOR APPORTIONMENT PURPOSES. School districts are authorized to report those nonresident high school students enrolled pursuant to RCW 28A.120.092 according to those procedures authorized in chapters 392-121, 392-122, and 392-141 WAC.

NEW SECTION

WAC 392-140-338 1989-90 THROUGH 1993-94 SCHOOL YEAR ENROLLMENT OF RETURNING HIGH SCHOOL STUDENTS—SPECIAL ENROLLMENT REPORTING BY SCHOOL DISTRICTS. School districts shall provide such information and in such form as required by the superintendent of public instruction for those nonresident high school students reported pursuant to WAC 392-140-337.

WSR 90-12-082
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 90-46—Filed June 1, 1990, 4:16 p.m.]

Date of Adoption: June 1, 1990.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-57-31500S; and amending WAC 220-57-315.

Statutory Authority for Adoption: RCW 75.08.080.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The numbers of spring chinook stocks returning to the Klickitat River are lower than expected and need to be protected to ensure escapement goals.

Effective Date of Rule: June 4, 1990.

June 1, 1990
 Edward P. Manary
 for Joseph R. Blum
 Director

NEW SECTION

WAC 220-57-31500T *KLICKITAT RIVER. Notwithstanding the provisions of WAC 220-57-315 effective June 4 through July 30, 1990 it is unlawful to fish for or possess salmon for personal use from the Klickitat River except:*

Open July 1 through July 30 downstream of Fisher Hill Bridge to the mouth of the Klickitat River. Daily bag limit is 6 salmon, of which only 2 may be adults. Minimum size 12 inches.

REPEALER

The following section of the Washinton Administrative Code is repealed:

WAC 220-57-31500S *KLICKITAT RIVER (90-20)*

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

WSR 90-12-083
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
 [Filed June 1, 1990, 4:35 p.m.]

Original Notice.

Title of Rule: Chapter 388-14 WAC, Support enforcement.

Purpose: The purpose of these amendments is to conform state rules with federal IV-D program requirements and avoid a reduction in federal financial participation.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: RCW 74.08.090.

Summary: These amendments clarify existing rules regarding eligibility for and termination of support enforcement services; authorize the Office of Support Enforcement to require applications for nonassistance support enforcement services as provided under federal regulations; and allow OSE to terminate all services except record maintenance and payment processing in cases with an order directing payments through or which are submitted to the Washington state support registry if OSE does not receive an application for services.

Reasons Supporting Proposal: These rule amendments are necessary to comply with federal regulations which require the state to obtain an application for nonassistance support enforcement services in order to qualify the case for federal funding.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Bill Paine, Office of Support Enforcement, 586-3278.

Name of Proponent: Department of Social and Health Services, governmental.

Rule is necessary because of federal law, Department of Health and Human Services, PIQ-89-15 Memorandum.

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on July 10, 1990, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop OB-33H, Olympia, Washington 98504, by July 10, 1990.

Date of Intended Adoption: July 24, 1990.

June 1, 1990

Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 1054, filed 9/25/75)

WAC 388-14-300 NONASSISTANCE SUPPORT ENFORCEMENT SERVICES (~~FOR CHILD(REN) NOT RECEIVING PUBLIC ASSISTANCE~~)—(~~STATUTORY BASIS~~) PERSONS ELIGIBLE FOR SERVICES. As authorized by RCW 26.23.045 and 74.20.040, the (~~department through its~~) department's office of support enforcement (OSE) provides support enforcement services to (~~custodians~~) residents of (~~minor children~~) the state of Washington who are not receiving a public assistance grant when:

(a) A superior court order, an administrative order, or a wage assignment order under chapter 26.18 RCW directs payments through OSE or the Washington state support registry;

(b) The clerk of court submits a support order under RCW 26.23.050;

(c) The physical custodian of a dependent child requests services;

(d) A former custodial parent requests services to collect a support debt reduced to a sum certain judgment by the court;

(e) A responsible parent submits a support order for inclusion in or support payment to the Washington state support registry;

(f) A public assistance recipient stops receiving a cash grant under the aid to families with dependent children and financial independence programs;

(g) The department provides Medicaid-only benefits to the physical custodian of a dependent child; or

(h) A man requests paternity establishment services alleging he is the dependent child's father.

AMENDATORY SECTION (Amending Order 2606, filed 3/4/88)

WAC 388-14-310 NONASSISTANCE SUPPORT ENFORCEMENT (~~APPLICANT/CUSTODIAN'S AUTHORIZATION~~) APPLICATION. (1) (~~The applicant~~) Except as provided in subsection (2) of this section, a person desiring nonassistance support enforcement services shall submit a written (~~request~~) application for support enforcement services (~~and authorize the office of support enforcement to provide support enforcement services, unless the applicant has or is deemed to have authorized the office to provide such services under WAC 388-14-200(1) or 388-14-305(2)~~).

(2) The office of support enforcement (OSE) shall provide support enforcement services without requiring an application for services under the following circumstances:

(a) Records maintenance and payment processing services if the payee under an order fails to submit an application for services and the:

(i) Order directs payment through the OSE or the Washington state support registry; or

(ii) Clerk submitted the order under RCW 26.23.050.

(b) Continues support enforcement services after a public assistance recipient stops receiving a cash grant.

(3) The applicant (~~custodian~~) shall:

(a) Give consent to (~~the office~~) OSE to take an assignment of earnings from the person owing (~~a duty to pay~~) support;

(b) Agree to remit (~~:~~) support money received directly from the person owing support to OSE within eight days of receipt (~~to the office support moneys received directly from the person owing a duty to pay support~~); (~~and~~)

(c) Agree to direct (~~any~~) a payor or forwarding agent (~~of support moneys~~) to remit support money directly to (~~office~~).

(3) If the applicant/custodian fails to forward and/or fails to provide adequate documentation of direct payment as requested, the office may discontinue providing support enforcement services or decline to provide certain services as provided for in this chapter) OSE;

(d) Agree not to hire an attorney or collection agency to collect the support obligation or support debt without notifying OSE;

(e) Complete, sign, date, and submit to OSE the application form and other required documents;

(f) Supply copies of divorce and dissolution decrees, support orders, and modifications thereof, and any allied or related documents reflecting the marital and support status;

(g) Provide a statement of the amount of the support debt owed by the responsible parent; and

(h) Include or attach a list, by date, of the support payments received from the responsible parent during the period the support debt accrued.

(4) (~~The applicant/custodian shall not hire an attorney or collection agency to collect the support obligation or support debt without notifying the office. After receipt of such notice, the office shall send a written statement to the applicant/custodian, and the attorney or collection agency, which shall include a directive that all support payments must continue to be made through the Washington state support registry, and a statement that the office may discontinue certain support enforcement services if the support payments are not made through the registry, or action taken by the attorney or agency conflicts with action the office would otherwise take to establish, enforce, or collect a support obligation~~) If a person other than the applicant has legal custody of the dependent child by order of a court, the applicant shall affirm the legal custodian:

(a) Was not wrongfully deprived of custody by the applicant; and

(b) Is not excused from making support payments under WAC 388-11-065(10).

(5) If the applicant is temporarily absent from the state, the applicant shall submit a written statement affirming the applicant is a resident of this state.

(6) OSE may deny an application which is incomplete, contains unclear or inconsistent statements, or not supported by necessary documents.

(7) Upon denying an application, OSE shall send the applicant a written notice of denial by regular mail and shall include a statement:

(a) Of the reasons for the denial; and

(b) The applicant may request an adjudicative proceeding to contest the denial.

AMENDATORY SECTION (Amending Order 2606, filed 3/4/88)

WAC 388-14-420 TERMINATION OF SUPPORT ENFORCEMENT SERVICES. (1) After the office of support enforcement (OSE) begins providing services under chapter (s) 74.20 RCW and ((26.23)) RCW 26.23.045 (1)(a), (b), (c), (e), or (f), ((and this chapter, the office)) OSE may terminate services ((as follows)) under the following circumstances:

(a) ((If the support order was entered in the state of Washington, the office shall provide appropriate services until:

(i)) The support obligation under the order ends and ((any)) the support debt is paid or cannot be enforced under the laws of the state of Washington(, or);

((b-ii)) (b) The ((office)) responsible parent is dead and OSE receives proof ((that the responsible parent is dead and)) there is no available estate; ((or

(iii) A court of competent jurisdiction orders the office to terminate its services, based on an approved alternate payment plan or finding that it is not in the best interests of the child(ren) for the office to continue providing services.

(b) If the support order was entered in another state, the office shall provide appropriate services until:))

((i)) (c) The person or agency withdraws the request for services; ((ii) The support obligation under the order ends and any support debt is paid or cannot be enforced; or

(iii)) (d) The physical custodian and the dependent ((child(ren) moves)) child move to and reside(s) in another state or country. ((The office may provide services for no longer than five months from the date of the move, or

(iv) The office receives proof that the responsible parent is dead and there is no available estate, or))

((v)) (e) ((The office)) OSE receives no support payment ((for three years,)) despite reasonable collection efforts, and future collections are not foreseeable; ((or

((vi)) (f) ((The office)) OSE makes reasonable efforts to identify or locate the responsible parent, using local, state, and federal locate sources, and does not find ((any)) new locate information ((for three years)); or

((vii)) (g) The physical custodian fails or refuses to cooperate with ((the office)) OSE and ((the office)) OSE cannot ((or should not)) proceed without such cooperation; ((or

((viii)) (h) The physical custodian:

(i) Hires ((a lawyer)) an attorney or collection agency to collect the support obligation or support debt without notice to and consent from ((the office)) OSE; and

(ii) Fails or refuses to cooperate with ((the office's)) a request to have support payments ((made)) paid through the Washington state support registry.

((e)) (i) ((If the office concludes that)) OSE cannot obtain a support order ((cannot be obtained)) because:

(i) ((There is not enough information to identify or locate the responsible parent, and the office has made reasonable efforts to locate the parent;

(ii)) There is not enough proof to establish the support obligation; or

((iii)) (ii) ((The office)) OSE has exhausted legal remedies.

((2) If the office is not authorized to terminate services under subsection (1) of this section, the office may discontinue or decline to provide certain services when:

(a) The physical custodian fails or refuses to cooperate with the office and the office cannot provide services without such cooperation; or

(b)) (j) The department or a court of competent jurisdiction finds ((that)) the person receiving services has wrongfully deprived the responsible parent of physical custody of ((the)) a dependent ((child(ren)) child under ((the standards in)) WAC 388-11-065(10); ((or

((c) The support order was entered in the state of Washington and either:

(i) The office receives no support payment for three years, despite reasonable collection efforts, and future collections are not foreseeable; or

(ii) The office makes reasonable efforts to locate the responsible parent, using local, state, and federal locate sources, and does not discover new locate information for three years.))

((4)) (k) ((The office)) OSE finds ((that)) it is either not advisable or not proper to provide ((and/or)) or continue ((certain)) services; or

((5)) (l) The department or a court of competent jurisdiction finds ((that)) action ((to pursue)) establishing or enforcing a support obligation is ((reasonably)) likely to result in harm to the ((child(ren)) child or the ((child(ren)) child's custodian.

(2) When OSE provides services under RCW 26.23.045(1)(d), OSE may:

(a) Terminate support enforcement services;

(i) If a court of competent jurisdiction orders OSE to terminate services based on:

(A) An approved alternate payment plan under RCW 26.23.050; or (B) A finding that it is not in the child's best interest for OSE to continue providing services.

(ii) After filing a satisfaction of judgment with the court as provided under WAC 388-14-205; or

(iii) If the responsible parent is dead and OSE receives proof there is no available estate.

(b) Terminate services, except records maintenance and payment processing:

(i) For the reasons stated under subsections (1)(c), (d), (e), (f), (g), (h), (j), (k), or (l) of this section; or

(ii) If the payee under the order fails to execute a request for support enforcement services.

(3) When ((the office terminates its)) terminating services, ((the office)) OSE shall mail a notice to the physical custodian. ((The office)) OSE shall:

(a) Send the notice by regular mail to the last known address of the physical custodian;

(b) Include in the notice the reason(s) for terminating services; and

(c) State in the notice that the physical custodian may ask for ((a hearing)) an adjudicative proceeding to contest the ((office's)) decision ((to terminate)) terminating services.

(4) ((A physical custodian who receives nonassistance services as of December 31, 1987, may ask the office to terminate those services up to one year from that date.

(5)) ((The office)) OSE may terminate support enforcement services when the department terminates foster care under Title 13 RCW.

((6)) (5) After ((the office terminates)) terminating support enforcement services, ((the office)) OSE shall return ((any moneys the office)) support money OSE receives to the payor ((with instructions to send all support moneys directly to the applicant/custodian, court, or other forwarding agent)) except as provided under subsection (2)(b) of this section.

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

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-14-302 NONASSISTANCE SUPPORT ENFORCEMENT—PERSONS ELIGIBLE.

WAC 388-14-305 NONASSISTANCE SUPPORT ENFORCEMENT—APPLICATION.

**WSR 90-12-084
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)**

[Order 3022—Filed June 1, 1990, 4:38 p.m.]

Date of Adoption: June 1, 1990.

Purpose: To amend food stamp program rules to require a combined food stamp allotment for the first and second months when an eligible household applies on the 16th or after.

Citation of Existing Rules Affected by this Order: Amending WAC 388-49-560 Issuance.

Statutory Authority for Adoption: RCW 74.04.050.

Pursuant to notice filed as WSR 89-23-107 on November 22, 1989.

Effective Date of Rule: Thirty-one days after filing.

June 1, 1990

Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 2575, filed 12/31/87)

WAC 388-49-560 ISSUANCE. (1) The department shall issue food coupons through a:

(a) ~~((A))~~ Food coupon authorization (FCA) system staggered through the tenth of the month, or

(b) ~~((A))~~ Direct coupon mail out system staggered through the tenth of the month.

(2) For FCAs issued after the ~~((twenty-fifth))~~ twentieth of the month, the department shall issue a valid FCA:

(a) Until the end of the month and issue a valid replacement FCA if the household is unable to transact the FCA before the expiration date, or

(b) For the current month's benefits valid in the following month.

(3) For eligible households applying on the sixteenth of the month or after, the department shall issue the prorated allotment for the initial month and the allotment for the first full month at the same time, except for:

(a) Households eligible for expedited services for which missing or postponed verification have not been provided; and

(b) Households ineligible for the initial month, or the second month.

(4) The department shall maintain issuance records for a period of three years from the month of origin.

WSR 90-12-085
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3023—Filed June 1, 1990, 4:40 p.m.]

Date of Adoption: June 1, 1990.

Purpose: The purpose of these amendments is to conform state rules with federal IV-D program requirements and avoid a reduction in federal financial participation.

Citation of Existing Rules Affected by this Order: Chapter 388-14 WAC, Support enforcement.

Statutory Authority for Adoption: RCW 74.08.090.

Pursuant to RCW 34.05.350 the agency for good cause finds that state or federal law or federal rule or a

federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this Finding: These rule amendments are necessary to comply with federal regulations which require the state to obtain an application for nonassistance support enforcement services in order to qualify the case for federal funding.

Effective Date of Rule: June 2, 1990, 12:01 a.m.

June 1, 1990

Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 1054, filed 9/25/75)

WAC 388-14-300 NONASSISTANCE SUPPORT ENFORCEMENT SERVICES ((FOR CHILD(REN) NOT RECEIVING PUBLIC ASSISTANCE))—((STATUTORY BASIS)) PERSONS ELIGIBLE FOR SERVICES. As authorized by RCW 26.23.045 and 74.20.040, the ((department through its) department's office of support enforcement (OSE) provides support enforcement services to ((custodians)) residents of ((minor children)) the state of Washington who are not receiving a public assistance grant when:

(a) A superior court order, an administrative order, or a wage assignment order under chapter 26.18 RCW directs payments through OSE or the Washington state support registry;

(b) The clerk of court submits a support order under RCW 26.23.050;

(c) The physical custodian of a dependent child requests services;

(d) A former custodial parent requests services to collect a support debt reduced to a sum certain judgment by the court;

(e) A responsible parent submits a support order for inclusion in or support payment to the Washington state support registry;

(f) A public assistance recipient stops receiving a cash grant under the aid to families with dependent children and financial independence programs;

(g) The department provides Medicaid-only benefits to the physical custodian of a dependent child; or

(h) A man requests paternity establishment services alleging he is the dependent child's father.

AMENDATORY SECTION (Amending Order 2606, filed 3/4/88)

WAC 388-14-310 NONASSISTANCE SUPPORT ENFORCEMENT((=APPLICANT/CUSTODIAN'S AUTHORIZATION)) APPLICATION. (1) ((The applicant)) Except as provided in subsection (2) of this section, a person desiring nonassistance support enforcement services shall submit a written ((request)) application for support enforcement services ((and authorize the office of support enforcement to provide support enforcement services, unless the applicant has or is deemed to have authorized the office to provide such services under WAC 388-14-200(1) or 388-14-305(2))).

(2) The office of support enforcement (OSE) shall provide support enforcement services without requiring an application for services under the following circumstances:

(a) Records maintenance and payment processing services if the payee under an order fails to submit an application for services and the:

(i) Order directs payment through the OSE or the Washington state support registry, or

(ii) Clerk submitted the order under RCW 26.23.050.

(b) Continues support enforcement services after a public assistance recipient stops receiving a cash grant.

(3) The applicant(~~/custodian~~) shall:

(a) Give consent to ((the office)) OSE to take an assignment of earnings from the person owing ((~~a duty to pay~~) support;

(b) Agree to remit((;)) support money received directly from the person owing support to OSE within eight days of receipt((, to the office support moneys received directly from the person owing a duty to pay support)); ((and))

(c) Agree to direct ((any)) a payor or forwarding agent ((of support moneys)) to remit support money directly to ((office.

(3) If the applicant/custodian fails to forward and/or fails to provide adequate documentation of direct payment as requested, the office may discontinue providing support enforcement services or decline to provide certain services as provided for in this chapter)) OSE;

(d) Agree not to hire an attorney or collection agency to collect the support obligation or support debt without notifying OSE;

(e) Complete, sign, date, and submit to OSE the application form and other required documents;

(f) Supply copies of divorce and dissolution decrees, support orders, and modifications thereof, and any allied or related documents reflecting the marital and support status;

(g) Provide a statement of the amount of the support debt owed by the responsible parent; and

(h) Include or attach a list, by date, of the support payments received from the responsible parent during the period the support debt accrued.

(4) ((The applicant/custodian shall not hire an attorney or collection agency to collect the support obligation or support debt without notifying the office. After receipt of such notice, the office shall send a written statement to the applicant/custodian, and the attorney or collection agency, which shall include a directive that all support payments must continue to be made through the Washington state support registry, and a statement that the office may discontinue certain support enforcement services if the support payments are not made through the registry, or action taken by the attorney or agency conflicts with action the office would otherwise take to establish, enforce, or collect a support obligation)) If a person other than the applicant has legal custody of the dependent child by order of a court, the applicant shall affirm the legal custodian:

(a) Was not wrongfully deprived of custody by the applicant; and

(b) Is not excused from making support payments under WAC 388-11-065(10).

(5) If the applicant is temporarily absent from the state, the applicant shall submit a written statement affirming the applicant is a resident of this state.

(6) OSE may deny an application which is incomplete, contains unclear or inconsistent statements, or not supported by necessary documents.

(7) Upon denying an application, OSE shall send the applicant a written notice of denial by regular mail and shall include a statement:

(a) Of the reasons for the denial; and

(b) The applicant may request an adjudicative proceeding to contest the denial.

AMENDATORY SECTION (Amending Order 2606, filed 3/4/88)

WAC 388-14-420 TERMINATION OF SUPPORT ENFORCEMENT SERVICES. (1) After the office of support enforcement (OSE) begins providing services under chapter((s)) 74.20 RCW and ((26.23)) RCW 26.23.045 (1)(a), (b), (c), (e), or (f), ((and this chapter, the office)) OSE may terminate services ((as follows)) under the following circumstances:

(a) ((If the support order was entered in the state of Washington, the office shall provide appropriate services until:

(i)) The support obligation under the order ends and ((any)) the support debt is paid or cannot be enforced under the laws of the state of Washington((; or));

((b-(ii))) (b) The ((office)) responsible parent is dead and OSE receives proof ((that the responsible parent is dead and)) there is no available estate; ((or

(iii) A court of competent jurisdiction orders the office to terminate its services, based on an approved alternate payment plan or finding that it is not in the best interests of the child(ren) for the office to continue providing services;

(b) If the support order was entered in another state, the office shall provide appropriate services until:))

((i)) (c) The person or agency withdraws the request for services;

((ii) The support obligation under the order ends and any support debt is paid or cannot be enforced; or

(iii)) (d) The physical custodian and the dependent ((child(ren) moves)) child move to and reside((s)) in another state or country. ((The office may provide services for no longer than five months from the date of the move; or

(iv) The office receives proof that the responsible parent is dead and there is no available estate; or))

((v)) (e) ((The office)) OSE receives no support payment ((for three years,)) despite reasonable collection efforts, and future collections are not foreseeable; ((or

((vi)) (f) ((The office)) OSE makes reasonable efforts to identify or locate the responsible parent, using local, state, and federal locate sources, and does not find ((any)) new locate information ((for three years)); or

((vii)) (g) The physical custodian fails or refuses to cooperate with ((the office)) OSE and ((the office)) OSE

cannot ~~((or should not))~~ proceed without such cooperation; ~~((or))~~

~~((viii))~~ (h) The physical custodian;

(i) Hires ~~((a lawyer))~~ an attorney or collection agency to collect the support obligation or support debt without notice to and consent from ~~((the office,))~~ OSE; and

(ii) Fails or refuses to cooperate with ~~((the office's))~~ a request to have support payments ~~((made))~~ paid through the Washington state support registry.

~~((c))~~ (i) ~~((If the office concludes that))~~ OSE cannot obtain a support order ~~((cannot be obtained))~~ because:

(i) ~~((There is not enough information to identify or locate the responsible parent, and the office has made reasonable efforts to locate the parent,~~

~~((ii))~~ There is not enough proof to establish the support obligation; or

~~((iii))~~ (ii) ~~((The office))~~ OSE has exhausted legal remedies.

~~((2))~~ If the office is not authorized to terminate services under subsection (1) of this section, the office may discontinue or decline to provide certain services when:

(a) The physical custodian fails or refuses to cooperate with the office and the office cannot provide services without such cooperation; or

~~((b))~~ (j) The department or a court of competent jurisdiction finds ~~((that))~~ the person receiving services has wrongfully deprived the responsible parent of physical custody of ~~((the))~~ a dependent ~~((child(ren)))~~ child under ~~((the standards in))~~ WAC 388-11-065(10); ~~((or))~~

~~((c))~~ The support order was entered in the state of Washington and either:

(i) The office receives no support payment for three years, despite reasonable collection efforts, and future collections are not foreseeable; or

(ii) The office makes reasonable efforts to locate the responsible parent, using local, state, and federal locate sources, and does not discover new locate information for three years.)

~~((d))~~ (k) ~~((The office))~~ OSE finds ~~((that))~~ it is either not advisable or not proper to provide ~~((and/or))~~ or continue ~~((certain))~~ services; or

~~((e))~~ (l) The department or a court of competent jurisdiction finds ~~((that))~~ action ~~((to pursue))~~ establishing or enforcing a support obligation is ~~((reasonably))~~ likely to result in harm to the ~~((child(ren)))~~ child or the ~~((child(ren)))~~ child's custodian.

(2) When OSE provides services under RCW 26.23-.045 (1)(d), OSE may:

(a) Terminate support enforcement services;

(i) If a court of competent jurisdiction orders OSE to terminate services based on:

(A) An approved alternate payment plan under RCW 26.23.050; or

(B) A finding that it is not in the child's best interest for OSE to continue providing services.

(ii) After filing a satisfaction of judgment with the court as provided under WAC 388-14-205; or

(iii) If the responsible parent is dead and OSE receives proof there is no available estate.

(b) Terminate services, except records maintenance and payment processing:

(i) For the reasons stated under subsections (1)(c), (d), (e), (f), (g), (h), (j), (k), or (l) of this section; or

(ii) If the payee under the order fails to execute a request for support enforcement services.

(3) When ~~((the office terminates its))~~ terminating services, ~~((the office))~~ OSE shall mail a notice to the physical custodian. ~~((The office))~~ OSE shall:

(a) Send the notice by regular mail to the last known address of the physical custodian;

(b) Include in the notice the reason(s) for terminating services; and

(c) State in the notice that the physical custodian may ask for ~~((a hearing))~~ an adjudicative proceeding to contest the ~~((office's))~~ decision ~~((to terminate))~~ terminating services.

(4) ~~((A physical custodian who receives nonassistance services as of December 31, 1987, may ask the office to terminate those services up to one year from that date.~~

~~((5))~~ ~~((The office))~~ OSE may terminate support enforcement services when the department terminates foster care under Title 13 RCW.

~~((6))~~ (5) After ~~((the office terminates))~~ terminating support enforcement services, ~~((the office))~~ OSE shall return ~~((any moneys the office))~~ support money OSE receives to the payor ~~((with instructions to send all support moneys directly to the applicant/custodian, court, or other forwarding agent))~~ except as provided under subsection (2)(b) of this section.

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

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-14-302 NONASSISTANCE SUPPORT ENFORCEMENT—PERSONS ELIGIBLE.

WAC 388-14-305 NONASSISTANCE SUPPORT ENFORCEMENT—APPLICATION.

WSR 90-12-086

PROPOSED RULES

DEPARTMENT OF ECOLOGY

[Order 90-21—Filed June 4, 1990, 11:14 a.m.]

Original Notice.

Title of Rule: Chapter 173-50 WAC, Accreditation of environmental laboratories; chapter 173-216 WAC, State waste discharge permit program; and chapter 173-220 WAC, National pollutant discharge elimination system permit program.

Purpose: Ecology, through various programs, requires data to be submitted to the department based on laboratory analyses of environmental samples. It is a fundamental need to assure that laboratories providing data have a demonstrated capability to accurately perform the analyses.

Statutory Authority for Adoption: RCW 43.21A.230.

Statute Being Implemented: Chapters 43.21A and 90-48 RCW.

Summary: The three rules listed above are existing rules which will be amended. Further detail is contained under Short Explanation of Rule below.

Reasons Supporting Proposal: Puget Sound water quality management plan requirement.

Name of Agency Personnel Responsible for Drafting: Norm Glenn, EILS, Tumwater, 753-2845; **Implementation:** Cliff Kirchmer, EILS, Manchester, 845-4649; and **Enforcement:** Stan Springer and Greg Sorlie, WQ Prog, Industrial, 438-7090 and 459-6037.

Name of Proponent: Department of Ecology, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: This rule-making exercise involves amendments to three existing rules: Chapters 173-50, 173-216 and 173-220 WAC. The first rule is a general procedural regulation which establishes the state program for accreditation. It does not require or authorize accreditation of labs; nor does it provide for sanctions or enforcement actions. It simply outlines the conditions and constraints that a laboratory owner would operate under should they choose to pursue accreditation. The second two rules authorize and require the issuance of permits to dischargers of wastewater. These rules will serve as the vehicles by which to authorize and require accreditation (and registration) of labs associated with wastewater permittees. The anticipated effect will be to assure that acceptable analytical methods are being used correctly and that laboratories have the facilities, equipment and expertise required to adequately execute the analytical methods.

Proposal Changes the Following Existing Rules: The three rules listed above will each be amended. The accreditation rule changes will reflect a companion "registration" program for certain permittees and a change in the fee structure. The two permit program rules will be changed to make the authorizing statute and the language of the accreditation/registration rule binding on laboratories associated with wastewater permittees. Timelines for implementation will also be included.

Small Business Economic Impact Statement: Chapter 173-50 WAC establishes a program for accreditation of environmental laboratories. Revisions to chapters 173-216 and 173-220 WAC require wastewater discharge permit holders to submit monitoring data from accredited laboratories.

The Regulatory Fairness Act, chapter 19.85 RCW, requires that rules having an economic impact on more than 20 percent of all industries or more than ten percent of the businesses in any one industry be reviewed and altered to minimize their impact upon small businesses. Further, the Economic Policy Act, chapter 43.21H RCW, suggests consideration of economic values in general during the rule-making process. The regulatory proposals in promulgating chapter 173-50 WAC, Accreditation of environmental laboratories, and in revising chapter 173-216 WAC, Permits to discharge commercial and industrial wastes, and chapter 173-220 WAC, NPDES permit system, have been reviewed in light of both requirements. Conclusions of that review

are summarized in this economic impact statement which is designed to satisfy the intent of chapter 43.21H RCW while concentrating on the specific requirements of chapter 19.85 RCW.

The statement deals primarily with laboratories operated within the private sector of the economy because that is the extent of what is specifically required by the Fairness Act. The impact of fees on these private sector activities is addressed in Section I. Some laboratories affected by the rule are also operated by government entities (cities, counties, water and sewer districts, publicly-owned utilities, and state agencies). The impact of fees on these government entities is examined in Section II. Sections I and II address impact of fees imposed by chapter 173-50 WAC which will be a continuing impact. Section III addresses associated (indirect) costs which may be incurred by some activities in preparation for accreditation of their laboratories. Generally, these costs will impose a noncontinuing (one-time) impact.

Fees imposed by the environmental laboratory accreditation program are not expected to have a significantly adverse affect on any particular business in the state. While the fees do tend to place a "proportionally higher burden" on smaller businesses within a given industry, the burden is not so significant that it will reduce competition, employment, new employment opportunities, innovation, or threaten the existence of any small businesses. Accreditation is expected to be an economic benefit to most commercial testing labs.

Laboratory accreditation fees are not expected to have a significantly adverse economic effect on any government entity including small municipalities. The \$330 fee for an average small municipality which is likely to do its own analyses (e.g., a town of 2000 residential equivalents) would represent a burden of only \$0.17 per residence per year. The maximum \$1,250 fee anticipated for METRO West Point with approximately 231,000 residential equivalents would represent a burden of approximately one cent (\$0.005) per residence per year. In neither case is the fee an undue burden.

Associated (i.e., nonfee) costs are not readily quantifiable but do appear to impose a disproportionately higher burden on small wastewater permittees which operate their own laboratories. It is arguable as to whether these costs are justifiably attributable to the laboratory accreditation program, since they will be imposed on activities whose laboratories are not currently meeting acceptable standards. Associated costs will also be felt by dischargers who choose to contract with commercial laboratories, if the servicing laboratory increases its charges as a result of its own requirement to pay fees.

SECTION I - IMPACT ON BUSINESSES

As required by RCW 19.85.040, this analysis compares the cost of complying with the rule for small businesses (those employing fewer than 50 people) to the cost of compliance for large businesses. To do this, it is necessary to distinguish between two types of laboratories which will participate in the accreditation program. One type is a commercial laboratory (i.e., a laboratory which performs analytical services for hire). As of the writing of this statement, 68 commercial laboratories

have been identified in the state which could be involved in the accreditation program. Businesses in this category are generally small although two large laboratories have been identified. This analysis will compare costs for large and small businesses within this grouping of businesses.

The other type of laboratory is operated by businesses which are required to report environmental data in compliance with a permit issued by the Department of Ecology. Some of these businesses hire commercial laboratories to perform all or some of their required analyses, while others conduct the analyses in their own laboratories. As of this writing, 585 businesses, all permitted wastewater dischargers, have been identified which could be operating laboratories to be affected by laboratory accreditation.

Wastewater dischargers not operating their own laboratories may be affected by the fees imposed by the accreditation program. The commercial laboratories to which they send their samples for analysis may pass on their costs of being accredited. A basic assumption of this analysis is that all affected businesses will pay a fee. The fee will be direct if they operate their own laboratory, or indirect if the commercial laboratories they contract increase their charges for analyses. From a standpoint of economic impact on businesses, this assumption presents a worst case situation. A best case situation would involve no indirect fee charges. The actual impact will probably be closer to the best case situation than to the situation presented in this statement.

Eventually the lab accreditation rule will affect businesses involved in environmental fields other than water quality, such as hazardous waste characterization and air sampling. Economic impacts on such businesses are expected to be comparable in proportion and magnitude to those addressed here.

The *1982 Census of Manufacturers; Washington*, the *1982 Census of Service Industries; Miscellaneous Subjects*, and the *1982 Census of Wholesale Trade; Washington* (all U.S. Department of Commerce, Bureau of the Census, 1985) were used to estimate average sales to payroll ratios. The *1987 Employment and Payrolls in Washington State by County and Industry* (Washington State Department of Employment Security, 1988) was used to determine average number of employees and total 1987 wages paid per industry. The average wages paid within a business and the sales to payroll ratio were used to estimate the average sales. From these, estimates were made of the fee imposed by this rule as a percentage of sales (one of the methods of estimating economic impact allowed by RCW 19.85.040).

The intent of the laboratory accreditation rule as stated in WAC 173-50-190(1) is for the department to recover only the costs of administering the accreditation program as authorized by RCW 43.21A.230, enabling legislation for the accreditation program. Laboratory accreditation fees were determined primarily by estimating the overall annual cost of administering the program to include salaries, equipment, supplies, and travel costs as well as other overhead costs. The total cost was then apportioned as equitably as possible among the affected laboratories based on the anticipated effort required of the department for accrediting each type of laboratory.

The accreditation process involves: Submittal by each laboratory of a comprehensive application, a quality assurance (QA) manual, and performance evaluation sample analysis results; and an on-site audit.

The cost of reviewing the application, the laboratory's accreditation manual, and the results of the performance evaluation sample analysis were considered in determining the cost to the department.

The primary factor in determining cost to the department, however, is the system audit, or on-site inspection, which must be conducted at each laboratory prior to accreditation and periodically thereafter. Generally, the effort required of the department in conducting the system audit is directly proportional to the scope of the laboratory's analytical operations. The accreditation fee is therefore directly determined by the number and complexity of analytical parameters for which the laboratory seeks accreditation. Within the commercial testing laboratory industry (SIC 7293), small laboratories will analyze fewer numbers of parameters and consequently be charged proportionally smaller fees. Larger, multi-discipline laboratories will be charged higher fees to commensurate with the increased effort required in the accreditation process.

For other businesses, the fee is also proportional to the scope (and size) of the laboratory, but not necessarily to the size of the business. Large businesses discharging few potentially harmful materials into the environment may be required to analyze for only a few parameters and would therefore have a small laboratory and pay a small fee. The opposite may also be true. However, it can be stated that the fee will be proportional to the number of potentially harmful materials (parameters); and the parameters and fees will be fairly consistent within SIC categories. This will be shown in the analysis for each industry.

Potentially, each business which discharges wastewater in accordance with a permit issued pursuant to chapters 173-220 or 173-216 WAC (NPDES and state wastewater discharge permit regulations, respectively) could be affected by the fees imposed in the accreditation program. The impact on affected industries in the state is discussed in the remainder of this section and summarized in Table 1 on Page 2. The *Permit Writers' Procedures Manual and Monitoring Guidelines*, currently under development by the department, will generally increase the number and complexity of parameters required in discharge permits. The impact of those changes can only be estimated at this time since the guidelines are not completed. Such estimates are also included in Table 1.

Within most industries (e.g., pulp and paper), essentially all businesses in the industry are impacted by these rules because all are wastewater discharge permit holders. Some permitted dischargers will not be affected by chapter 173-50 WAC because their permits do not require reporting of accreditable analytical data (e.g., some report only temperature and/or flow, which are two parameters that do not require accreditation). The majority of industries in the state as defined in chapter 19.85 RCW will not be affected directly or indirectly by

the accreditation program (since they have no waste discharge).

Throughout this analysis, where the fee as a percent of sales cannot be rounded up to at least 0.001 percent (i.e., anything less than 0.005 percent), the statement is made that the fee is "less than 0.001%" of sales. This does not imply that a more precise figure is not known but rather than anything less than 0.001 percent would be insignificant.

Following is an industry-by-industry discussion of the anticipated impact of fees imposed by chapter 173-50 WAC in order of increasing impact on small businesses (except for the first five industries where there are no small businesses).

Aircraft Manufacturers

Aircraft manufacturers (SIC 3721) which are anticipated to be involved in the lab accreditation program are all large. While there is only one company involved, there are eight separate plants and eight labs, all of which are considered large for the purposes of this statement. Fees for the various labs range from \$250 to \$1500. Because aircraft sales are so large (estimated at \$13.2 billion in 1987), the average fee represents much less than 0.0001 percent of sales (0.000091 percent).

Aluminum Producers

Aluminum producers (SIC 3334) currently are required by their wastewater discharge permits to monitor and report several complex parameters. Consequently, accreditation fees for this category are relatively high. Fees are expected to range from \$500 to \$650 representing 0.001 percent of sales for the average business. There are no small aluminum producers.

Primary Metal Producers

All other primary metal producers (SIC 33, exclusive of aluminum producers) expected to be in the lab accreditation program are large. Fees range from \$350 to \$550. The average fee of \$400 represents 0.002 percent of sales.

Sawmills

All potentially affected sawmills (SIC 2421) are large. Fees will range from \$200 to \$350 representing 0.004 percent of sales for the average sawmill.

Petroleum Refineries

Petroleum refineries (SIC 2911) report a large number of parameters with accreditation fees anticipated to range from \$400 to \$500. Because refinery sales are high, the fees represent less than 0.001 percent of sales. There are no potentially affected small businesses in SIC 2911.

Petroleum Sales

Petroleum wholesalers (SIC 517) are expected to pay fees ranging from zero to \$400. The average for small businesses is \$100, and for large businesses the average fee is \$250. Of the businesses in this industry, 96 percent are small. For the average small business in SIC 517,

the fee will be 0.001 percent of sales; for the average large business, it will be less than 0.001 percent.

Food Processors

Food processors (SIC 20) include meat, poultry, and seafood packers; fruit and vegetable canners; processors of dairy products; and flavor extract manufacturers. Approximately 123 businesses in SIC 20 may be affected by the laboratory accreditation program, 74 percent of which are small. Some businesses in SIC 20 are not required to monitor their wastewater for any parameters which will require use of an accredited laboratory. Consequently, those businesses will not be affected by this fee program. Others are required to report data for one, two or three creditable parameters for which the fee would be \$50, \$100, or \$150, respectively. The number of parameters reported, and hence the fee, is directly related to the number of potentially harmful materials found in the wastewater discharge and not necessarily related to the size of the business. Generally, however, the larger businesses will pay the larger fee. The fee (\$50-\$150) is small for this category. Sales for the larger businesses are much higher than for small businesses. Therefore, the fee as a percentage of sales is smaller for the larger business than for the small business. This trend is true throughout this analysis for all industries having large and small businesses. The fee for any business in this industry (and all other industries except, perhaps, for some commercial testing labs) is a very small percentage of sales. Because SIC 20 has several potentially affected industries, it is broken down into smaller categories. Most processors of fish (SIC 2092) and other seafoods such as oysters (SIC 2091) report zero or one creditable parameter and will pay accreditation fees of either nothing or \$50. The \$50 fee would represent less than 0.001 percent of sales for affected businesses. All of these are small. Processors of fruits and vegetables (SIC 203) would pay from zero to \$100 with the average being approximately \$60, less than 0.001 percent of sales for both large and small businesses. Producers of flavor extracts (mint and hop growers, SIC 2087) do not report creditable parameters under current discharge permits and will not be involved in the accreditation program. Other food processors (remainder of SIC 20) include both large and small businesses. Small businesses involved in accreditation will pay an average fee of \$50 representing 0.003 percent of average sales while large businesses would average \$75 representing less than 0.001 percent of sales.

Hydroelectric Plants

The electrical power plants (SIC 4911) which will be required to submit data from an accredited laboratory include both small and large businesses. Fees are anticipated to range from \$100 to \$300 representing 0.002 percent and 0.001 percent of sales for small and large businesses, respectively.

Pulp and Paper

Businesses involved in the pulp and paper industry (SIC 26) are required in their wastewater discharge permits to report several parameters. Of the SIC 26

businesses expected to be involved in the accreditation program, only one is small. Fees will range from \$250 to \$350 representing 0.004 and less than 0.001 percent of sales for small and large businesses, respectively.

Shipyards

Shipyards (SIC 3731) expected to be in the accreditation program are large but are required to report few parameters. They will therefore be charged relatively small fees. Fees are expected to average \$200 for small businesses in this category and \$250 for large businesses. This represents 0.006 and 0.001 percent of sales, respectively.

Cement and Glass Manufacturers

Cement and glass manufacturers (SIC 32) are expected to pay fees ranging from \$50 to \$200 representing 0.007 percent of sales for the average business. There are no large cement and glass manufacturers expected to be in the lab accreditation program.

Hatcheries

A few privately owned hatcheries (SIC 0921) will be involved in lab accreditation, and all are small. The average fee is expected to be \$100 representing 0.010 percent of sales.

Wood Preservers

Wood preservers (SIC 2491) tend to be small businesses. Sixty-eight percent have less than 50 employees. Fees will range from \$200 to \$350 representing 0.012 and 0.003 percent of sales for small and large businesses, respectively.

Chemical Manufacturers

Potentially affected chemical manufacturers (SIC 28) are divided among small and large businesses. Fees will range from \$150 to \$300, representing 0.011 percent of sales for the average small business and 0.002 percent for large.

Crop Preparation Services

The laboratory accreditation program may affect a large number of businesses (approximately 140) involved in crop preparation services, SIC 0723. These businesses sort, grade, and pack vegetables and fruits. Most of the businesses in this group are small (86 percent of the businesses in SIC 072 employ less than 50 workers). The average small business in SIC 0723 is anticipated to pay a fee representing 0.029 percent of sales or less; large businesses, 0.006 percent or less.

Water Plants

Water plants are included in SIC 495 (sanitary services). All those which will be affected by the laboratory accreditation program are small. Fees are expected to average \$250 representing 0.018 percent of sales for the average business.

Plywood Plants

The majority (76 percent) of plywood plants (SIC 2436) are large. Generally the number of parameters such plants are required to report is related to size.

Therefore, small plants are expected to pay an accreditation fee averaging \$200 and large plants may pay \$400. Such fees would represent 0.022 and less than 0.002 percent of sales for small and large businesses, respectively.

Sand and Gravel Companies

Sand and gravel companies fall in the category which includes quarries of nonmetallic minerals (SIC 14). Of the 27 potentially affected businesses in SIC 14, 96 percent are small. For small businesses, the average fee is anticipated to be 0.023 percent of sales; for large businesses, 0.001 percent.

Electroplaters

All potentially affected electroplaters (SIC 3471) are small businesses. Electroplaters are required by their discharge permits to report a relatively large number of parameters. Since they are small businesses, the average fee of \$250 (range, \$200 to \$300) is anticipated to represent a relatively high percentage (0.028 percent) of sales.

Commercial Testing Laboratories

Thus far, this statement has addressed impact of the lab accreditation program only on wastewater dischargers who either conduct analyses in their own laboratory or contract a commercial testing laboratory to do the work (or a combination of both). This part of the statement analyzes the impact of the program on the industry whose primary function is to analyze materials—the commercial testing laboratory (SIC 7397).

Not all laboratories in SIC 7397 will be affected by the accreditation program. There are several which test materials other than those of interest to the Department of Ecology, such as construction materials, food, and other products. However, the majority test environmental materials (e.g., water, hazardous waste) and submit data to the department.

1985 County Business Patterns: Washington lists 47 commercial testing laboratories in the state with only two identified as employing more than 50 people. The majority of laboratories (32) have nine or fewer employees. *Employment and Payrolls in Washington State by County and Industry*, showing 1987 annual averages, lists 63 laboratories in this rapidly growing industry. Collectively, they employed 683 people at year's end. Even this figure is evidently low, as a total of 68 commercial testing laboratories which submit data to the Department of Ecology were identified during planning of the accreditation program.

Accreditation fees are directly proportional to the number and complexity of analytical parameters for which a laboratory is to be accredited and therefore are directly related to the size of the laboratory. Small laboratories with limited capabilities will be able to analyze few parameters and will therefore be charged a relatively small fee while large, multi-functional laboratories will be charged larger fees. The minimum possible fee for a given laboratory is \$30, although no such uni-functional laboratory was identified during planning. A more probable minimum fee is \$300 which would be the

fee for a laboratory conducting limited bioassay tests. At least one such laboratory exists in the state. The maximum possible fee is \$2,250. Here again, it is unlikely such an omni-functional laboratory exists although some come close. The most probable maximum fee is \$2,150.

The fee estimated for an average small (ten employees) commercial testing laboratories is \$850 for a fee to sales percentage of 0.191. Only two large laboratories (those with more than 50 employees) were identified during planning, averaging 61 employees. The fee anticipated from each is \$2,150 which results in a fee to sales percentage of 0.083. This apparent bias in favor of the large laboratories is unavoidable. Fees for the smaller laboratories are in accordance with the effort required of ecology in the accreditation process. These fees cannot be reduced if the program is expected to be self-supporting. Fees for the large laboratories cannot be equitably increased without also increasing fees for the smaller laboratories.

Neither group's fee is considered to be excessive, however, considering the economic value of the accreditation itself. For a commercial laboratory, the ability to produce quality data, and evidence attesting to that fact (i.e., and accreditation) is a marketable commodity. Furthermore, most of the laboratories, and particularly the smaller laboratories, should acquire economic benefits as a result of accreditation. Thereby, they should increase their productivity by going through the accreditation process.

Impact of New Monitoring Guidelines

The Department of Ecology is currently preparing a *Permit Writers' Procedures Manual*. The manual will include monitoring guidelines to help permit writers establish monitoring requirements for permittees. The guidelines are being developed with both internal and external review and comment. The guidelines could result in permits requiring monitoring of a greater number of parameters. Businesses both large and small (other than commercial testing labs) will feel the impacts of more monitoring requirements. As these requirements have not yet been developed (anticipated completion is June 1990), estimates of their impact on businesses are provided in Table 1.

To obtain the estimates, the maximum number of parameters which could reasonably be required of a particular industry was assumed. However, in some cases monitoring of more parameters could be required. This could occur if a particular pollutant has been a problem in a business' discharge or if the receiving environment is particularly sensitive.

These estimates did not consider the requirement of some industries for performance of three-species bioassays. Because establishment of a capability to perform bioassay is costly, businesses will likely contract this work to commercial laboratories. In that case, industrial dischargers would only realize the indirect costs passed on by the commercial labs. Those indirect costs should be minimal since the monitoring guidelines will have no effect on fees charged to commercial testing laboratories.

Table 1 summarizes anticipated impact of fees on various industries, listed in order of increasing impact on small businesses. Fees based on current permits are calculated while fees projected in anticipation of the *Permit Writers' Procedures Manual and Monitoring Guidelines* are estimated.

Impact of Fees on Profits

Laboratory accreditation fees are not taxes on profits but rather a cost of doing business which may be incorporated into the price of a laboratory's (or its parent organization's) output. Because the fees are generally such a small percentage of sales, large businesses and most small businesses will probably not find it necessary to raise prices significantly. They should be able to maintain profit margins. For example, Boeing's eight labs combined are expected to pay a fee of approximately \$5,400 annually. With 1987 sales estimated to exceed \$13 billion, of which the fee represents 0.000091 percent, Boeing could raise the price of each airplane produced by a few dollars to recover cost of fees if they desired. Such an increase would go unnoticed in the marketplace and would not adversely affect Boeing's competitiveness.

Even the smallest business in the industry with the highest fee-to-payroll percentage (other than commercial labs), electroplaters at 0.028 percent, can pass on costs to customers with little noticeable effect. For example, a product normally selling for \$100.00 would sell for \$100.03 to recover cost of fees. This is hardly an increase which would cause unfair hardship on any given business, especially since other businesses in the same industry would be equally affected. It is unlikely any business, other than as noted in the following paragraph, would find it necessary to increase prices for goods or services sold because of the laboratory accreditation fee. For those that choose to do so, the increase will be insignificant.

The exception mentioned above is within the commercial testing laboratory industry (SIC 7397). For most commercial laboratories, the cost of accreditation fees can be passed on to customers in the form of increased prices for analytical services. Since all labs in the state performing environmental analyses will be affected by the fees, in a manner designed to be as equitable as possible, the economic impact will affect most labs equally. The exception could be the very small lab that performs a specialized type of analysis (e.g., bioassay). Because the fee for such a lab could be a significant percentage of sales, the lab might be forced to increase prices significantly to recover costs. Larger, multi-discipline labs performing the same type of analysis would not be required to increase prices for bioassays to the same extent the smaller, uni-discipline lab. This may appear to give the larger lab an unfair advantage. The advantage is already enjoyed because the larger lab is more likely to have the latest equipment and otherwise be operating more efficiently and charging less than the small lab. However, it is perceived that there is more analytical work to be done than can be accomplished only by the larger labs. This workload has resulted in the recent establishment of many new labs and significant growth of

existing labs. This trend is expected to continue. Because of this trend, small labs should not be adversely affected even if they increase charges for analysis beyond those of their larger competitors.

A significant portion of the analytical work performed by commercial testing labs involved in this fee program is contract work for ecology. The department will publish policy statements and promulgate rules which will require use of accredited labs once the fee program is fully implemented. One could expect other state agencies and private concerns, including out-of-state activities, to require (or at least prefer) use of ecology-accredited labs to do their environmental analyses. These requirements should result in increased sales for accredited labs. Because neither of our neighboring states have environmental lab accreditation programs, Washington commercial testing labs will be better able to compete against neighboring state labs for environmental analyses. For this reason, accreditation is expected to become an economic benefit for the accredited commercial lab. The benefit should exceed any adverse impact of increased charges for analysis to recover fees. Realizing this, many labs may opt to initially absorb accreditation costs within their profit margin, anticipating that the profit margin will eventually increase as a result of accreditation.

Table 1 - Summary of Economic Impact on Washington Industries

INDUSTRY	SIC	1987 SALES (M\$)*	AVERAGE FEES BASED ON CURRENT PERMITS				FEE ESTIMATES BASED ON MONITORING GUIDELINES IN PERMIT WRITERS PROCEDURE MANUAL			
			SMALL BUSINESS (\$)	LARGE BUSINESS (\$)	FEE AS PERCENT OF SALES		SMALL BUSINESS (\$)	LARGE BUSINESS (\$)	FEE AS PERCENT OF SALES	
					SMALL	LARGE			SMALL	LARGE
Aircraft	3712	13,173	NA**	450	NA	<0.001	NA	600	NA	<0.001
Aluminum	3334	1,038	NA	600	NA	0.001	NA	600	NA	0.001
Primary Metals	33	2,208	NA	400	NA	0.002	NA	650	NA	0.003
Sawmills	2421	1,778	NA	300	NA	0.004	NA	320	NA	0.004
Petroleum Refine	2911	5,157	NA	500	NA	<0.001	NA	710	NA	<0.001
Petroleum Sales	517	4,502	100	250	0.001	<0.001	100	250	0.001	<0.001
Food Processors										
Flavor Extracts	2087	113	0	NA	0.000	NA	50	NA	<0.001	NA
Fruits/Veg.	203	1,935	50	60	0.001	<0.001	200	400	0.004	0.002
Dairy	202	100	100	NA	0.001	NA	150	NA	0.002	NA
Seafoods	2091	302	50	NA	0.001	NA	150	NA	0.003	NA
Fish	2092	455	50	NA	0.001	NA	200	NA	0.003	NA
Meat Packers	201	553	100	200	0.002	0.001	250	300	0.006	0.002
Other	20	3,565	50	75	0.003	<0.001	150	300	0.008	<0.001
Hydroelectric	4911	1,142	100	300	0.002	0.001	0	250	0.000	0.001
Pulp and Paper	26	2,873	250	350	0.004	<0.001	450	790	0.006	0.001
Shipyards	3731	410	200	250	0.006	0.001	240	540	0.007	0.002
Cement/Glass Mfg.	32	672	150	NA	0.007	NA	150	NA	0.007	NA
Hatcheries	0921	833	100	NA	0.010	NA	100	NA	0.010	NA
Wood Preservers	2491	82	250	350	0.012	0.003	250	390	0.012	0.004
Chemical Mfg.	28	1,707	175	250	0.012	0.002	650	950	0.044	0.009
Crop Prep. Svcs.	0723	110	50	100	0.015	0.004	50	150	0.015	0.006
Water Plants	495	144	250	NA	0.018	NA	100	NA	0.007	NA
Plywood Plants	2436	354	200	400	0.022	0.002	50	200	0.005	0.001
Sand/Gravel	14	122	100	150	0.023	0.001	50	200	0.011	0.002
Electroplaters	3471	35	250	NA	0.028	NA	1,100	NA	0.121	NA
Commercial Labs	7397	29	850	2,150	0.191	0.083	850	2,150	0.191	0.083

* Estimated based on 1987 wages and 1982 sales-to-payroll ratios.

** Not applicable. No small (or large, as appropriate) businesses in this industry in the state.

Section I Summary

Fees imposed by the environmental laboratory accreditation program are not expected to have a significantly adverse affect on any particular business in the state. While the fees do tend to place a proportionally higher burden on smaller businesses within a given industry, the burden is not so significant that it will reduce competition, employment, new employment opportunities, innovation, or threaten the existence of any small businesses. Accreditation is expected to be an economic benefit to most commercial testing labs.

SECTION II - IMPACT ON GOVERNMENT ENTITIES

Municipalities and other government entities (e.g., county sewer districts, public utility districts, state parks, salmon hatcheries, and correctional facilities) which discharge wastewater are required by their discharge permits to report analytical data to ecology. These permits constitute the predominance of activities affected by lab accreditation. Fees for these government entities will vary from \$50 (some report only one parameter) to \$1,000 for the activities reporting the largest number of parameters. Generally, the larger the activity, the more complex their wastewater discharge and therefore the larger their accreditation fee. The fee is therefore generally proportional to the tax base from which the government entities have the opportunity to recover the cost of participating in the laboratory accreditation program.

To examine the economic impact of the accreditation program on government entities, those activities for which fees have been projected are divided into four groups: state activities, publicly-owned treatment works (POTWs) with permitted discharge flows of five million gallons per day (5 MGD) or more, POTWs with permitted discharges between 1 and 5 MGD, and POTWs with permitted flows of less than 1 MGD. For each group, the average fee was calculated for analytical parameters required by current discharge permits.

State Activities

State-owned dischargers include salmon and trout hatcheries, rearing and holding ponds, correctional facilities, and state parks. Fees projected for the fish-related activities under current discharge permit rules would be \$50 (all report only one accreditable parameter—total suspended solids). The correctional facilities and state parks would pay fees of either \$300 or \$350 depending on the nature of their discharge.

POTWs (Greater than 5 MGD)

Twenty-four POTWs have permitted discharges of five million gallons or more. Many of these are required to perform priority pollutant scans involving many complex analytical parameters. Laboratory accreditation fees for these POTWs will average \$900. The average is expected to increase to \$1,210 under new monitoring guidelines.

POTWs (1 to 5 MGD)

Fifty POTWs have permitted discharges of between one and five million gallons per day. They would pay an average fee of \$380 with a range from \$200 to \$670. Under proposed monitoring guidelines and correspondingly revised permits, the average fee may increase to \$400, ranging from \$300 to \$670.

POTWs (Less Than 1 MGD)

One hundred forty-eight POTWs have permitted discharge flows of less than one million gallons per day. They would pay fees averaging \$330 if they were on the same fee schedule as other activities in the accreditation program. At this time several alternatives are being considered by the citizen's advisory committee which could result in special fees for small municipals (and industrials).

Average fees for government entities are summarized in Table 2.

TABLE 2 - SUMMARY OF ECONOMIC IMPACT ON GOVERNMENT ENTITIES

CATEGORY	AVG FEE UNDER EXISTING DISCHARGE PERMITS	AVG FEE UNDER PROPOSED MONITORING GUIDELINES
Fish-related Activities	\$ 50	No Change
Correctional Facility/Parks	\$325	No Change
POTWs (5 MGD or More)	\$900	\$1,210
POTWs (1 to 5 MGD)	\$380	\$ 400
POTWs (Less Than 1 MGD)	<\$330 *	<\$ 370 *

Section II Summary

Fees imposed by the environmental laboratory accreditation program are not expected to have a significantly adverse economic effect on any government entity including small municipalities. The very smallest municipalities (e.g., Stella with seven residential equivalents) are likely to have their wastewater analyzed by a commercial laboratory or another larger municipality and will not be directly affected by the laboratory accreditation fee. They may be indirectly affected if the servicing laboratory increases its charges as a result of its own requirement to pay fees. The \$330 fee for an average small municipality which is likely to do its own analyses (e.g., a town of 2,000 residential equivalents) would represent a burden of only \$0.17 per residence per year. The maximum \$1,250 fee anticipated for METRO West Point with approximately 231,000 residential equivalents would represent a burden of approximately one cent (\$0.005) per residence per year. In neither case is the fee considered an undue burden.

SECTION III - IMPACT OF ASSOCIATED (INDIRECT) COSTS

Associated costs (indirect costs other than fees) for laboratories currently practicing (what would normally be considered) acceptable laboratory procedures should be minimal. These costs will consist primarily of costs associated with completing the accreditation application and time lost in undergoing the on-site audit. Such well prepared labs would: Already be analyzing performance evaluation samples; have a formal quality assurance (QA) program as documented in a QA manual; need no

new equipment or additional personnel or training; be performing QA tests such as duplicate and spiked samples; and be keeping adequate QA records.

Other laboratories will lack some or all of these elements of good laboratory practices, necessitating expenditures to bring the laboratory up to acceptable standards. Laboratories most likely to be deficient are those operated by small municipalities, (i.e., POTWs less than 1 MGD). A survey was conducted by selecting six from among the 148 small municipal permittees—three each from western and eastern Washington. A rudimentary attempt was made to select permittees to achieve three groupings of laboratories: Appear to be out-of-date; average; and appear to be up-to-date. The survey findings, while far from statistically valid, seem to indicate that even the well prepared labs (as represented by permittees # 5 and 6) will incur indirect costs approaching \$3,000. The other two groupings were \$11,000 and \$15,000 as shown in Table 3. The survey results indicate a significant economic impact on the smallest municipalities. No comparable data is available for industrial permittees. These small permittees are scheduled for accreditation in fiscal year 1993, giving them two to three years to prepare.

It is arguable as to whether these are justifiably attributable to the laboratory accreditation program, since the costs will be imposed on only those permittees who apparently have been incurring lower costs all along by not meeting acceptable standards.

Private industrial labs are generally in large companies. However, where small businesses do have their own labs, certification requirements are most likely to have a disproportionate impact on the small companies in the SIC coded industries listed in Table 1. The small private industrial labs are likely to experience costs similar to the POTW costs listed above. As mitigation under the Regulatory Fairness Act, chapter 19.85 RCW inclusion of permittees in the accreditation process will be staggered based on environmental impacts. This will tend to benefit small firms with lower loadings which will not be phased in until 1993. Some businesses and government entities may choose to discontinue use of their own laboratories and instead contract with an accredited commercial testing laboratory. Since upgrade costs are generally a one-time cost and laboratory service charges would extend indefinitely, this option may not be cost-effective. Nevertheless, it may be an option chosen because of its short-term beneficial effect.

Another potential associated cost to any lab participating in the accreditation program is the cost of purchasing performance evaluation (PE) samples. PE samples are provided free-of-charge by the Environmental Protection Agency (EPA). If EPA chooses to charge for PE samples in the future, labs would have the option of purchasing samples from EPA or another vendor. At current prices, such purchases would cost the average laboratory (e.g., a wastewater discharger lab with flow less than one MGD) approximately \$200 annually. If this happens, ecology will reassess performance audit requirements.

Section III Summary

Available data indicates a significant economic impact on small municipals and possibly on small private/industrial labs. Associated costs will also be felt by dischargers who choose to contract with commercial laboratories.

Hearing Location: Washington Natural Gas Building, 614 North Mission, Wenatchee, on July 10, at 7:00 p.m.; and Richland City Hall, 505 Swift Boulevard, Richland, on July 11, at 7:00 p.m.; and at the Tukwila City Hall, 6200 South Center Boulevard, Tukwila, on July 12, at 7:00 p.m.

Submit Written Comments to: Norm Glenn, Washington State Department of Ecology, Airdustrial Complex, Building 8, Mailstop LH-14, Olympia, Washington 98504, by July 20, 1990.

Date of Intended Adoption: October 2, 1990.

May 31, 1990

Fred Olson

Deputy Director

AMENDATORY SECTION (Amending Order 89-1 and 89-1A, filed 4/20/89 and 3/13/90, effective 4/13/90)

WAC 173-50-040 DEFINITIONS. Definitions set forth in this section shall apply throughout this chapter, unless context clearly indicates otherwise.

(1) "Accreditation" means the formal recognition by the department that an environmental laboratory is capable of producing accurate analytical data, signified by the issuance of a written certificate accompanied by a scope of accreditation indicating those parameters for which the laboratory has been accredited. The term "accredit" as used in this chapter is intended to have the same meaning as the term "certify" as used in RCW 43.21A.230. Any laboratory accredited under this chapter shall be deemed to have been certified under RCW 43.21A.230. The department does not, by certifying or accrediting any laboratory pursuant to this chapter, vouch for or warrant the accuracy of any particular work done or report issued by the laboratory.

(2) "Analytical data" means the recorded qualitative and/or quantitative results of a chemical, physical, biological, microbiological, radiological, or other scientific determination.

(3) "Department" means the state of Washington department of ecology.

(4) "Environmental laboratory" means any facility under the ownership and technical management of a single entity in a single geographical locale, where scientific examinations are performed on samples taken from the environment, the data from which is submitted to the department under the provisions of a department regulation, permit, or contractual agreement.

(5) "Mandatory analytical method" means a recognized written procedure for acquiring analytical data which is required by law or a regulatory agency of the federal or state government.

(6) "Matrix" means the substance from which a material to be analyzed is extracted, such as ground or surface water, wastewater, air, solid waste, nuclear waste, and hazardous waste.

(7) "Parameter" means a single determination or group of related determinations using a specific written method chosen by an applying laboratory.

(8) "Performance audit" means evaluation of the results of analyses of unknown samples whose true values are unknown to the laboratory conducting the analyses and which are provided by a source external to the environmental laboratory. Such samples may be referred to as performance evaluation samples.

(9) "Quality control" means those activities designed to assure analytical data produced by an environmental laboratory meet data quality objectives for accuracy. Those activities include routine application of statistically based procedures to evaluate and control the accuracy of analytical results.

(10) "Quality assurance (QA)" means those activities whose purpose is to assure that a quality control program is effective. A quality assurance program is a totally integrated program for assuring reliability of measurement data.

(11) "Quality assurance manual" means a written record of the policies, organization, objectives, and specific quality control and quality assurance activities established for use in an environmental laboratory to assure accuracy of analytical results. Volume and scope of quality assurance manuals vary with complexity of laboratory mission.

(12) "Recognized analytical method" means a documented analytical procedure for analysis of an environmental sample which was developed through collaborative studies by organizations or groups recognized by the department.

(13) "System audit" means an on-site inspection of laboratory capabilities by an agency external to the laboratory.

(14) "Registration" means participation of a laboratory in a program to prepare the laboratory for accreditation, signified by issuance of a written certificate accompanied by a scope of registration indicating those parameters for which the laboratory has achieved registration status.

(15) "Registered" means the status of continued participation in the preparatory program. Only laboratories owned and operated by municipalities, industries, and other activities which are dischargers as defined in chapter 173-220 or 173-216 WAC shall be eligible for participation in the preparatory program. Such laboratories are also eligible for accreditation. The department does not, by registering any laboratory pursuant to these rules, vouch for or warrant the accuracy of any particular work done or report issued by the laboratory.

Note: Above referenced chapters are available through the Department of Ecology, Mailstop PV-11, Olympia, WA 98504-8711.

AMENDATORY SECTION (Amending Order 89-1 and 89-1A, filed 4/20/89 and 3/13/90, effective 4/13/90)

WAC 173-50-050 RESPONSIBILITIES. (1) The department shall require persons and organizations submitting analytical data to the department under the purview of department programs to use environmental laboratories which are accredited or registered under the provisions of this chapter.

(2) The department shall not require use of accredited or registered laboratories for determination of analytical parameters for which no suitable accreditation process can be reasonably devised as determined by the quality assurance section.

(3) The department shall develop a procedural manual describing specifics of the accreditation process. As a minimum, the procedural manual shall describe in detail the procedures to be followed for: Submitting an application; system (on-site) audits; performance audits; accreditation of out-of-state laboratories; determination and payment of fees; issuance, denial, and revocation of accreditation or registration; and methods for notifying laboratories and authorized department officials of accreditation actions. The procedural manual shall be made available to all interested persons.

(4) Managers of environmental laboratories desiring accreditation or registration shall submit an application along with appropriate fees to the department fiscal officer, submit results of performance evaluations, a quality assurance manual and other required documentation to the quality assurance section, and assist/accommodate department personnel during system audits as required.

AMENDATORY SECTION (Amending Order 89-1 and 89-1A, filed 4/20/89 and 3/13/90, effective 4/13/90)

WAC 173-50-060 REQUIREMENTS FOR ACCREDITATION AND REGISTRATION. (1) Managers of environmental laboratories desiring accreditation or registration shall submit to the department fiscal officer an application and pay required fees as predetermined by coordination with the quality assurance section. Concurrently, the laboratory manager shall submit a copy of their laboratory quality assurance manual to the quality assurance section and arrange with the quality assurance section for completion of a performance audit and system audit.

(2) Through the application, laboratory managers shall request accreditation or registration in applicable parameters and provide evidence that sufficient personnel, equipment, and facilities are available to successfully perform analytical methods as specified in the application. The quality assurance manual submitted concurrently with the application shall be in detail and scope commensurate with the size and mission of the laboratory.

(3) Eligible laboratories shall achieve registration status by submitting a completed application, paying required fees, and submitting a quality assurance manual to the quality assurance section.

AMENDATORY SECTION (Amending Order 89-1 and 89-1A, filed 4/20/89 and 3/13/90, effective 4/13/90)

WAC 173-50-070 PERFORMANCE AUDIT. (1) The quality assurance section shall advise applying laboratories of specific requirements for performance audits which shall be completed for applicable parameters no more frequently than twice annually (see exception in subsection (4) of this section). Current performance audits conducted under the provisions of other recognized programs may be used to satisfy the accreditation program performance audit requirement. Sufficiency of such audits shall be determined by the quality assurance section.

(2) Submission of raw data along with the report of analysis of the performance evaluation sample may be required at the discretion of the quality assurance section.

(3) Performance audits for certain accreditation parameters may be waived at the discretion of the quality assurance section if performance evaluation samples are not available or for other valid reasons.

(4) Accredited laboratories and laboratories seeking accreditation which fail to accurately analyze a performance evaluation sample may be allowed a second performance audit. If necessitated by a second failure, a third performance audit may be allowed (as an exception to subsection (1) of this section) only after the laboratory has investigated cause for failure in the preceding audits and completed corrective actions.

(5) Registered laboratories shall submit results of performance evaluation sample analyses to the quality assurance section. Registration status shall not be denied or revoked for failure to accurately analyze performance evaluation samples. Registered laboratories shall investigate causes for errors in performance evaluation sample analysis results which have been identified as unacceptable or otherwise in error. The results of this investigation shall be reported to the quality assurance section within forty-five days of receipt of the performance evaluation report. The report to the quality assurance section shall identify probable causes for error and corrective actions taken to preclude recurrence.

(6) Applying laboratories shall be responsible for obtaining performance evaluation samples. No fee shall be charged to the department for analysis of performance evaluation samples.

AMENDATORY SECTION (Amending Order 89-1 and 89-1A, filed 4/20/89 and 3/13/90, effective 4/13/90)

WAC 173-50-080 SYSTEM AUDIT. The laboratory shall undergo a system audit by the department to assess critical elements and areas of recommended practices.

(1) Critical elements for accreditation. Those elements of an environmental laboratory's operations which are critical to the consistent generation of reliable, accurate data are critical elements for accreditation. Those critical elements shall be the subject of intense scrutiny throughout the accreditation process and deficiencies in critical elements may be the basis for denial or revocation of accreditation status. Functional areas within which there are critical elements are:

(a) Analytical methods. The system audit shall seek to determine if documentation of mandatory or recognized analytical methods are present at the laboratory, readily available to analysts, and being routinely followed. If a locally-developed method is being followed, the audit may include an evaluation of the adequacy of that method.

(b) Equipment and supplies. The system audit shall seek to determine if sufficient equipment and supplies as required by analytical methods are available, being adequately maintained, and are in a condition to allow successful performance of applicable analytical procedures.

(c) Quality assurance. The laboratory quality assurance manual shall be reviewed for adequacy prior to the system audit. The system audit shall include a review of quality assurance plans and quality assurance/quality control records for programs/projects within which the laboratory is generating analytical data for submission to the department.

(d) Sample management. The system audit shall include a review of applicable procedures for receipt, preservation, transportation, and storage of samples. The laboratory shall be held responsible only for those elements of sample management over which it has direct control.

(2) Recommended practices. Those elements of laboratory operations which might affect efficiency, safety, and other administrative functions, but do not normally affect quality of analytical data, shall be brought to the attention of laboratory management under the heading of "recommended practices" and individually, shall not be the basis

for denial or revocation of accreditation status. Functional areas within which recommended practices may be noted are:

(a) Personnel. The system audit shall seek to determine if managerial, supervisory, and analytical personnel have adequate training and experience to allow satisfactory completion of analytical procedures and compilation of reliable, accurate data. Minimum recommended education and experience criteria for laboratory personnel shall be specified in the program procedural manual.

(b) Facilities. The system audit shall seek to determine if laboratory facilities allow efficient generation of reliable, accurate data in a safe environment.

(c) Safety. When the system audit notes laboratory safety problems, those judged serious shall be referred to appropriate state or federal agencies.

(3) Registered laboratories shall be advised in a written system audit report prepared by the department of deficiencies in meeting critical element and recommended practice standards. The laboratory must respond in writing to the department within forty-five days of receipt of the system audit report concerning corrective actions taken as a result of the system audit report.

AMENDATORY SECTION (Amending Order 89-1 and 89-1A, filed 4/20/89 and 3/13/90, effective 4/13/90)

WAC 173-50-090 EVALUATION AND ISSUANCE OF CERTIFICATE. (1) Accreditation. Following receipt of an application and completion of a performance audit and system audit, the quality assurance section shall submit a report to the affected laboratory concerning the results of the overall accreditation process. The report shall list findings, assess the importance of each finding, and make recommendations concerning actions necessary to ensure resolution of problems. After completing the accreditation review, the quality assurance section shall decide, based on information in the application and results of the system audit, performance audit, and review of the quality assurance manual, whether accreditation should be granted. If this decision is affirmative, a certificate shall be issued authorizing the affected laboratory to submit analytical data to the department as specified on an accompanying scope of accreditation. The certificate shall remain the property of the department and shall be surrendered to the department upon revocation of accreditation status. If accreditation is not justified, the department shall issue a report specifying areas of deficiency and steps necessary to upgrade the laboratory to accredited status. In such cases, the laboratory shall be allowed thirty days in which to provide documentation that the specified deficiencies have been corrected. Based on such documentation the department shall decide whether to grant, renew, deny, or revoke accreditation.

(2) Registration. Registered laboratories shall be issued a certificate and accompanying scope of registration. The certificate shall remain the property of the department of ecology and shall be surrendered to the department upon revocation of the registration status.

AMENDATORY SECTION (Amending Order 89-1 and 89-1A, filed 4/20/89 and 3/13/90, effective 4/13/90)

WAC 173-50-100 INTERIM ACCREDITATION. If for valid reasons based on a deficiency in the department and not the laboratory, the quality assurance section cannot conduct a complete assessment of laboratory capabilities within six months of receipt of an application, an interim accreditation may be granted. The accreditation shall be based on submission of an application and fees by the laboratory, completion of a performance audit where appropriate, and an update of the laboratory's quality assurance manual.

AMENDATORY SECTION (Amending Order 89-1 and 89-A, filed 4/20/89 and 3/13/90, effective 4/13/90)

WAC 173-50-110 PROVISIONAL ACCREDITATION. Laboratories which have deficiencies requiring corrective action but can produce valid analytical data as determined by the quality assurance section may be given a provisional accreditation. When the laboratory has corrected such deficiencies, it may provide evidence of correction to the quality assurance section, or request reaudit, as appropriate. Upon determining deficiencies have been corrected, the quality assurance section shall take action to award full accreditation as in WAC

173-50-090. Provisional accreditation shall not be renewed for a subsequent accreditation period ((fiscal year)) unless laboratory management can demonstrate that all reasonable measures to correct deficiencies noted during the initial capability assessment have been exhausted.

AMENDATORY SECTION (Amending Order 89-1 and 89-1A, filed 4/20/89 and 3/13/90, effective 4/13/90)

WAC 173-50-120 ACCREDITATION AND REGISTRATION CATEGORIES. Environmental laboratories shall be accredited or registered within the broad categories Chemistry I (general), Chemistry II (trace metals), Organics I (gas chromatography (GC), high pressure liquid chromatography (HPLC) methods), Organics II (gas chromatography/mass spectrometry (GC/MS) methods), Radiological, Microbiological, and Bioassay (~~and Limited Municipal Wastewater Treatment~~). Within those broad categories, laboratories shall specifically be accredited or registered to perform within the well-defined parameters identified in WAC 173-50-190 or as requested by the applying laboratory, using specific, recognized analytical methods chosen by the applying laboratory. Additional parameters may be designated in the program procedural manual without amendment of this chapter if required to allow more efficient execution of the accreditation program.

AMENDATORY SECTION (Amending Order 89-1 and 89-1A, filed 4/20/89 and 3/13/90, effective 4/13/90)

WAC 173-50-130 REQUIREMENTS FOR MAINTAINING ACCREDITATION AND REGISTRATION STATUS. (1) Accreditation shall be granted for a ((given fiscal year)) one-year period and shall expire ((at the end of each fiscal year (last day of June))) one year after the effective date of accreditation. Renewal shall require submission of an application and appropriate fees, an update of the laboratory's quality assurance manual, and successful completion of a new performance audit. System audits shall be required for renewal of accreditation at periods not to exceed three years from the previous system audit.

(2) Registration shall be granted for a one-year period and shall expire one year after the effective date of registration. Renewal shall require submission of an application and appropriate fees, an update of the laboratory's quality assurance manual, and completion of a new performance audit. System audits shall be required for renewal of registration at periods not to exceed three years from the previous system audit.

AMENDATORY SECTION (Amending Order 89-1 and 89-1A, filed 4/20/89 and 3/13/90, effective 4/13/90)

WAC 173-50-140 DENYING ACCREDITATION AND REGISTRATION STATUS. (1) A laboratory may be denied accreditation for failing to comply with standards for critical elements of the system audit, for misrepresenting its capabilities or failing to disclose pertinent information in the application, for falsifying analytical data, or for failing to render appropriate fees. Additionally, a laboratory may be denied accreditation for a specific parameter for unsatisfactory analysis of that parameter in the performance audit. Laboratories denied accreditation may appeal under the provisions of WAC 173-50-200 or, following correction of deficiencies, may reapply for accreditation to include payment of appropriate fees as determined in WAC 173-50-190.

(2) A laboratory may be denied registration status only for failure to render appropriate fees, for failing to disclose pertinent information in the application, or for misrepresenting its capabilities.

AMENDATORY SECTION (Amending Order 89-1 and 89-1A, filed 4/20/89 and 3/13/90, effective 4/13/90)

WAC 173-50-150 REVOKING ACCREDITATION AND REGISTRATION STATUS. (1) Accreditation status may be suspended or revoked if the laboratory violates a state rule relative to the analytical procedures for which it is accredited, misrepresents itself to the department, fails to submit an application and associated fees for renewal, falsifies reports of analysis, or engages in unethical or fraudulent practices concerning the generation of analytical data. Additionally, an accredited laboratory may be reaudited for cause and, if found to be deficient in its ability to provide accurate analytical data, may have its accreditation suspended or revoked.

(2) Registration status may be revoked for failure to submit a renewal application, failure to pay appropriate fees, failure to submit required performance evaluation sample analysis results, failure to report on corrective actions taken if performance evaluation results are unacceptable or otherwise in error, failure to submit to a system audit, failure to report on corrective actions taken on deficiencies identified in a system audit, repeated failure to correct the deficiencies identified in the performance or system audits, or for misrepresenting the capabilities of the registered laboratory.

AMENDATORY SECTION (Amending Order 89-1 and 89-1A, filed 4/20/89 and 3/13/90, effective 4/13/90)

WAC 173-50-190 FEE STRUCTURE. (1) Fees in this chapter are those established for initiation of the accreditation program. The fee structure shall be reviewed annually and modified as necessary to reflect currency value fluctuations or changes in program administration costs. Laboratory directors may request addition of parameters within given categories. The fee per parameter and maximum fee per category are identified in Table I.

TABLE I - FEE SCHEDULE

CATEGORY	PARAMETER	FEE/PARAMETER	MAX FEE PER CATEGORY
Chemistry I	Calcium	(\$50)	(\$600)
(General)	Chloride	\$30	\$700
	Fluoride		
	Magnesium		
	pH		
	Potassium		
	Sodium		
	Specific Conductance		
	Sulfate		
	Total Alkalinity		
	Total Dissolved Solids (TDS)		
	Total Hardness		
	Ammonia (NH3-N)		
	Kjeldahl Nitrogen		
	Nitrate (NO3-N)		
	Nitrate-Nitrite (NO3-NO2)		
	Nitrite (NO2-N)		
	Orthophosphate		
	Phosphorous (total)		
	Biochemical Oxygen Demand (BOD)/Carbonaceous BOD (CBOD)		
	Chemical Oxygen Demand (COD)		
	Total Organic Carbon (TOC)		
	Acidity		
	Anionic Surfactants (LAS)		
	Bromide		
	Color		
	Cyanide (total)		
	Dissolved Oxygen (DO)		
	Nonfilterable Residue/Total Suspended Solids (TSS)		
	Oil/grease		
	Phenolics (total)		
	Salinity		
	Silica		
	Sulfide		
	Sulfite		
	Total Residual Chlorine		
	Turbidity		
Chemistry II	Aluminum	(\$30)	(\$400)
(Trace Metals)	Antimony	\$35	\$450
	Arsenic		
	Beryllium		
	Cadmium		
	Chromium		
	Cobalt		
	Copper		
	Iron		
	Lead		
	Manganese		
	Mercury		
	Molybdenum		

TABLE 1 - FEE SCHEDULE

CATEGORY	PARAMETER	FEE/PARAMETER	MAX FEE PER CATEGORY
	Nickel		
	Selenium		
	Silver		
	Strontium		
	Thallium		
	Tin		
	Titanium		
	Vanadium		
	Zinc		
Organics I	Acrolein/Acrylonitrile	(\$50)	(\$250)
(GC, HPLC methods)	Phenols	\$60	\$300
	Purgeable (volatile) Halocarbons		
	Purgeable (volatile) Aromatics		
	Benzidines		
	Phthalate Ester		
	Nitrosamines		
	Chlorinated Hydrocarbon Pesticides and Polychlorinated Biphenyls (PCBs)		
	Nitroaromatics/Isophorone		
	Polynuclear Aromatic Hydrocarbons		
	Haloethers		
	Chlorinated Hydrocarbons		
Organics II	Purgeables (volatiles)	(\$100)	(\$250)
(GC/MS methods)	Base/Neutrals and Acids (semivolatiles)	\$150	\$350
	Dioxin (2,3,7,8-Tetra-chlorodibenzo-p-dioxin)		
Radiological	Alpha	(\$50)	(\$100)
	Beta	\$60	\$120
	Radium		
Microbiological	Coliform (fecal)	(\$100)	(\$250)
	Coliform (total)	\$125	\$300
	Fecal streptococci		
	Enterococci		
	E. coli		
Bioassay	Fish	(\$100)	(\$400)
	Rat	\$125	\$450
	Amphipod		
	Bivalve Larvae		
	Chromosomal abnormality		
	Microtox		
	Daphnid		
	Echinoderm		
	Mysid		
	Algae		
	(Limited Municipal Wastewater Treatment) Not Applicable		\$150

~~(2) Only laboratories owned and operated by municipalities whose discharge as permitted under chapter 173-216 or 173-220 WAC is less than one million gallons per day shall be accredited under the "limited municipal wastewater treatment" category.~~

~~(3))~~ (2) Out-of-state laboratories shall coordinate directly with the quality assurance section to determine the anticipated cost of completing the accreditation process. The fee assessed shall be the projected cost of travel and per diem added to the normal fee indicated in WAC 173-50-190(1).

~~((4))~~ (3) On-site inspections shall not be conducted nor shall interim or provisional or other accreditations be granted until appropriate fees have been received by the department.

~~((5))~~ (4) The fee to defray costs to the department for recognition of a laboratory under a reciprocity agreement (WAC 173-50-160) or recognition of third-party accreditation (WAC 173-50-170) shall be fifty dollars.

~~((6))~~ (5) Apart from the fee process, applicant laboratories shall be required to acquire and analyze performance evaluation (PE) samples for parameters specified by the quality assurance section. The

source of PE samples, if other than the federal Environmental Protection Agency, shall be approved by the quality assurance section. To the extent feasible as determined by the quality assurance section, performance evaluation samples already being analyzed by the applicant laboratories, shall be used to fulfill performance audit requirements of this chapter.

(6) In addition to fees as determined by the number of parameters and methods in WAC 173-50-190(1), laboratories seeking registration status are required to pay an annual fee of four hundred fifty dollars.

AMENDATORY SECTION (Amending Order 89-1 and 89-1A, filed 4/20/89 and 3/13/90, effective 4/13/90)

WAC 173-50-200 APPEALS. An environmental laboratory manager may appeal final accreditation and registration actions (awards, denials, revocations) in writing to the director of the department within thirty days of notification of final action.

AMENDATORY SECTION (Amending Order 89-1 and 89-1A, filed 4/20/89 and 3/13/90, effective 4/13/90)

WAC 173-50-210 ENFORCEMENT. The department may enter any premises in which analytical data pertaining to accreditation and registration under the provisions of this chapter are generated or stored, for the purpose of conducting system audits or otherwise enforcing this chapter. Refusal to permit entry for such purposes shall result in denial, revocation, or suspension of accreditation or registration status.

NEW SECTION

WAC 173-50-220 ASSISTANCE TO LABORATORIES. During those calendar years in which a system audit is not required, registered laboratories may request a visit by quality assurance section personnel for the purpose of providing assistance in correcting deficiencies and improving practices for those tests covered by the scope of registration. These visits will be for the purpose of technical assistance and will not result in preparation of a corrective action report by the registered laboratory.

NEW SECTION

WAC 173-216-125 MONITORING. Use of registered or accredited laboratories:

(1) Except as established in subsection (3) of this section, monitoring data submitted to the department in accordance with this chapter shall be prepared by a laboratory accredited under the provisions of chapter 173-50 WAC no later than July 1, 1993, for all state permittees with a permitted average flow rate greater than five million gallons per day.

Note. Chapter 173-50 WAC is available at:

Department of Ecology
Records Management
Mailstop PV-11
Olympia, WA 98504-8711

These requirements are effective and binding on all permittees under the authority of rule, regardless of whether they have been included as conditions of a permit.

(2) Except as established in subsection (3) of this section, monitoring data submitted to the department in accordance with this chapter shall be prepared by a laboratory registered or accredited under the provisions of chapter 173-50 WAC no later than July 1, 1994, for all state permittees not covered under subsection (1) of this section.

Note. Chapter 173-50 WAC is available at:

Department of Ecology
Records Management
Mailstop PV-11
Olympia, WA 98504-8711

These requirements are effective and binding on all permittees under the authority of rule, regardless of whether they have been included as conditions of a permit.

(3) The following parameters need not be accredited or registered:

- (a) Flow;
- (b) Temperature; and
- (c) Parameters which are used solely for internal process control.

AMENDATORY SECTION (Amending Order 88-9, filed 11/1/88)

WAC 173-220-210 MONITORING, RECORDING AND REPORTING. (1) Monitoring.

(a) Any discharge authorized by a permit may be subject to such monitoring requirements as may be reasonably required by the department, including the installation, use, and maintenance of monitoring equipment or methods (including, where appropriate, biological monitoring methods). These monitoring requirements would normally include:

(i) Flow (in gallons per day);

(ii) Pollutants (either directly or indirectly through the use of accepted correlation coefficients or equivalent measurements) which are subject to reduction or elimination under the terms and conditions of the permit;

(iii) Pollutants which the department finds could have a significant impact on the quality of surface waters; and

(iv) Pollutants specified by the administrator, in regulations issued pursuant to the FWPCA, as subject to monitoring.

(b) Each effluent flow or pollutant required to be monitored pursuant to (a) of this subsection shall be monitored at intervals sufficiently frequent to yield data which reasonably characterizes the nature of the discharge of the monitored effluent flow or pollutant.

Variable effluent flows and pollutant levels may be monitored at more frequent intervals than relatively constant effluent flows and pollutant levels which may be monitored at less frequent intervals.

(c) Monitoring of intake water, influent to treatment facilities, internal waste streams, and/or receiving waters may be required when determined necessary by the department to verify compliance with net discharge limitations or removal requirements, to verify that proper waste treatment or control practices are being maintained, or to determine the effects of the discharge on the surface waters of the state.

(2) Recording of monitoring activities and results. Any permit which requires monitoring of the authorized discharge shall require that:

(a) The permittee shall maintain records of all information resulting from any monitoring activities required of him in his permit;

(b) Any records of monitoring activities and results shall include for all samples:

(i) The date, exact place, and time of sampling;

(ii) The dates analyses were performed;

(iii) Who performed the analyses;

(iv) The analytical techniques/methods used; and

(v) The results of such analyses; and

(c) The permittee shall be required to retain for a minimum of three years any records of monitoring activities and results including all original strip chart recording for continuous monitoring instrumentation and calibration and maintenance records. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the permittee or when requested by the department or regional administrator.

(3) Reporting of monitoring results.

(a) The permittee shall periodically report (at a frequency of not less than once per year) on the proper reporting form, the monitoring results obtained pursuant to monitoring requirements in a permit. In addition to the required reporting form, the department at its discretion may require submission of such other results as it determines to be necessary.

(b) Monitoring reports shall be signed by:

(i) In the case of corporations, by a responsible corporate officer or his duly authorized representative, if such representative is responsible for the overall operation of the facility from which the discharge originates.

(ii) In the case of a partnership, by a general partner.

(iii) In the case of a sole proprietorship, by the proprietor.

(iv) In the case of a municipal, state or other public facility, by either a principal executive officer, ranking elected official, or other duly authorized employee.

(4) Use of registered or accredited laboratories:

(a) Except as established in (c) of this subsection, monitoring data submitted to the department in accordance with this chapter shall be prepared by a laboratory accredited under the provisions of chapter 173-50 WAC no later than indicated by the appropriate date below:

July 1, 1992, major dischargers;

July 1, 1993, all permittees with a permitted average flow rate greater than five million gallons per day.

Note. Chapter 173-50 WAC is available at:

Department of Ecology
Records Management
Mailstop PV-11
Olympia, WA 98504-8711

These requirements are effective and binding on all permittees under the authority of rule, regardless of whether they have been included as conditions of a permit.

(b) Except as established in (c) of this subsection, monitoring data submitted to the department in accordance with this chapter shall be prepared by a laboratory registered or accredited under the provisions of chapter 173-50 WAC no later than July 1, 1994, for all NPDES permittees not covered under (a) of this subsection.

Note. Chapter 173-50 WAC is available at:

Department of Ecology
Records Management
Mailstop PV-11
Olympia, WA 98504-8711

These requirements are effective and binding on all permittees under the authority of rule, regardless of whether they have been included as conditions of a permit.

(c) The following parameters need not be accredited or registered:

- (i) Flow;
- (ii) Temperature; and
- (iii) Parameters which are used solely for internal process control.

WSR 90-12-087

**NOTICE OF PUBLIC MEETINGS
HUMAN RIGHTS COMMISSION**

[Memorandum—June 1, 1990]

This is to advise you that the special commission meeting telephone conference call scheduled at 1:30 p.m. on June 1, 1990, was convened and adjourned, due to lack of a quorum, to 2:00 p.m. on June 4, 1990. The conference call will originate in the Human Rights Commission Office, 402 Evergreen Plaza Building, 711 South Capitol Way, Olympia.

WSR 90-12-088

**NOTICE OF PUBLIC MEETINGS
HUMAN RIGHTS COMMISSION**

[Memorandum—June 1, 1990]

This is to advise you that the meeting site for the June 27, 1990, public hearing has been changed from the Public Utility District Auditorium to the City Council Chambers, City Hall, 412 West Clark, Pasco. The hearing is still scheduled to begin at 7:00 p.m. The topic of the public hearing will remain the same as well, familial status in housing.

The regular business meeting on June 28, 1990, will be held at the Public Utility District Auditorium, 14th and Clark, Pasco, beginning at 9:30 a.m.

**WSR 90-12-089
PROPOSED RULES
DEPARTMENT OF LICENSING**

[Filed June 4, 1990, 11:27 a.m.]

Continuance of WSR 90-04-048, filed January 31, 1990.

Title of Rule: Amending WAC 308-66-150; and new section WAC 308-66-152.

Purpose: To revise advertising regulations for vehicle dealers.

Statutory Authority for Adoption: RCW 46.70.160.

Statute Being Implemented: RCW 46.70.180.

Summary: RCW 46.70.180(1) prohibits certain advertising and pricing practices. These rules clarify what constitutes unlawful advertising and pricing practices.

Reasons Supporting Proposal: The vehicle industry is very intensive in the area of advertising. Due to the value of the commodities being marketed, deceptive advertising or pricing can have a significant impact on consumers.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Marv Ryser, Olympia, 321-5373 scan, 586-5373.

Name of Proponent: Department of Licensing, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: These advertising rules clarify and support the legal prohibitions against deceptive vehicle industry advertising and pricing practices which fall under the provisions of RCW 46.70.180. The effects of these rules will be to require clear disclosure of vehicles offered in advertisements, vehicle prices, and financing charges. Workable standards for the clarity of the advertisements themselves are also established.

Proposal Changes the Following Existing Rules: The Fair Business Practices Division of the Attorney General's Office has contributed language which will help prevent various types of misrepresentation and other unfair practices which have become apparent since the existing advertising rules were formulated. Details concerning standards for printed material, disclosing of financial information such as rebates and qualifications for financing have been contributed by that office. Other changes are to reformat the present advertising rules to eliminate repetition and to achieve a more logical organization of the rules.

Small Business Economic Impact Statement

Summary: The proposed regulation will not have an economic impact on more than 20% of all industries or more than 10% of the businesses in any one industry. Therefore it does not need review or alterations to minimize impact upon small businesses.

Background: The proposed regulations would update and clarify administrative rules governing advertising which are currently in effect. However, there are significant changes which will affect how vehicle dealers do conduct their advertising. There are also changes which will affect how some advertisers do the advertising of

vehicle dealers. The most significant of those changes will have the effect of simplifying advertising, particularly for the broadcast industry. Most of the changes from present rules are designed to clarify portions of the original advertising rules. Other provisions have been written in order to provide a basis for enforcement action against advertising or pricing practices which have come into use since the original advertising rules went into effect. These are provisions which effect the way some dealers do business some of the time, but those business practices have also been identified as activities which cause harm to unwary consumers. Consequently, with input from the Fair Business Practices Division of the Office of the Attorney General, various vehicle industry organizations such as the New Car Dealers Association, the Independent Automobile Dealers Associations and personnel of the Department of Licensing, these proposed rules have been drafted.

Impact Analysis: Present rules require that the full seventeen digit vehicle identification number be disclosed in all advertising. This is particularly cumbersome for radio broadcasters. The new proposed rules offer an alternative to that requirement. Rather than place the full vehicle identification number in the advertisement, the dealer may have the advertisement state that the VIN is available from the dealer. The trade-off is that any dealer using that alternative must post a copy of the ad in a conspicuous place at their dealership during the effective period of the ad, and must maintain a record of the vehicles advertised in such manner for one year following the ad. If there is any cost impact at all, the savings in advertising costs should easily offset any added cost in maintaining the required records for one year. These rules should not have any significant impact on the cost of doing business for vehicle dealers. There may be some small beneficial impact on the cost of advertising for many dealers.

Hearing Location: 421 Black [Lake] Boulevard, Building 1, Training Room, Olympia, WA 98504, on July 18, 1990, at 9:30 a.m., Note: Park in stalls 210-233.

Submit Written Comments to: Marv Ryser, Dealer Services, Highways-Licenses Building, Olympia, Washington 98504, by July 11, 1990.

Date of Intended Adoption: August 18, 1990.

June 1, 1990
Mary Faulk
Director

AMENDATORY SECTION (Amending Order MV-446, filed 9/16/77)

WAC 308-66-150 ((UNLAWFUL)) WARRANTY PRACTICES. ((1)) Examples of unlawful acts or practices, as defined by RCW 46.70.180 (1)(a) shall include but not be limited to representations such as "no down payment," "a dollar down," "five dollars down," "take-over payments," and "no cash needed," and others of similar nature if either secondary financing or initial payment of any amount in excess of that represented is required from the purchaser. A dealer's plan to have all or a portion of the selling price financed by a third party does not relieve him of his obligation to refrain from this prohibited type of advertising.

(2) Examples of unlawful acts or practices as defined by RCW 46.70.180 (1)(b), shall include but not be limited to representations such as "one hundred percent financing" if the terms of the purchase involve

more than one security agreement and payments to more than one financing institution. When collateral in addition to the vehicle is required, it shall be listed on the security agreement containing the vehicle's description, not on a separate agreement. If a dealer advertises "collateral financing" or that collateral will be required, the dollar value of the required collateral shall be stated in the advertisement.

(3) It shall be considered misleading within the meaning of RCW 46.70.180(1) to advertise with words, phrases or initials not easily seen and comprehended by persons other than those closely allied with the vehicle industry, for example, the initials "o.a.c.," or "c.f." or "f.o.b.," without explaining the meaning thereof within the same advertisement or instrument. The word "reprocessed" shall not be used unless the vehicle has actually been rebuilt in a factory-type process.

(4) It shall be considered false or deceptive within the meaning of RCW 46.70.180(1):

(a) To advertise a used vehicle for sale that is not available.

(b) To advertise a new vehicle as available for immediate delivery if it is available only on order.

(c) To sell a particular vehicle at a higher price than advertised.

(i) The only addition to the advertised price shall be the selling price of additional equipment ordered by the purchaser, sales tax, and license fees.

(ii) "Additional equipment ordered by the purchaser" shall not include options installed on the vehicle at the time of advertising.

(iii) "Advertised price" shall not be expressed as a combination of

(A) Dollar figures and words, or

(B) Dollar figures and dollar figures unless the total dollar figure is expressed.

(d) To advertise that "any deal will be accepted" or words to that effect.

(e) To cause an advertisement to be placed by a dealer or salesman that does not identify the dealer by his complete business name, or by the word "dealer."

(f) For a dealer to incorporate in his name any term or designation which would have a tendency to mislead others as to the true nature of the business, such as the use of "wholesale," when a dealer's business is substantially retail, or "discount," when the price and policy of a dealer does not provide actual discounts.

(g) To advertise a not-new vehicle manufactured less than two years prior to the date of the advertisement without designating the vehicle as "used," "demo," or "demonstrator." For purposes of adequate disclosure, the appropriate quoted term must be employed. Other descriptive words, such as "executive," "lease," "rental," may be used in conjunction therewith, but not so as to create ambiguity as to whether a said vehicle is new, is used, or is a demonstrator.

(h) To advertise a specific price for a model or type of vehicle without:

(i) Designating the number of vehicles available at that price, and

(ii) Clearly identifying the vehicles available by vehicle identification number or license plate number.

PROVIDED, HOWEVER, That a dealer need not designate the number available or identify the vehicles available if, in fact, an unlimited supply of such vehicles are available for immediate delivery.

(5) It shall be considered false, misleading and deceptive for the seller to act or fail to act in violation of any disclosure provision of Title I of the "Federal Consumer Credit Protection Act" [P.L. 90-321, 82 Stat. 146, 15 USC 1601], popularly known as the "Truth in Lending Act," or in violation of the regulations prescribed by the Board of Governors of the Federal Reserve System to carry out the purposes of that title [12 CFR 226], or in violation of chapter 63.14 RCW, "Retail Installment Sales of Goods and Services."

(6) It shall be considered false, deceptive, or misleading within the meaning of RCW 46.70.180(1) to advertise in violation of any of the following provisions:

(a) No advertisement to aid, promote, or assist directly or indirectly any extension of credit may state:

(i) That a specific amount of credit or installment amount can be arranged unless the creditor usually and customarily arranges or will arrange credit amounts or installments for that period and in that amount; or

(ii) That no down payment or that a specified down payment will be accepted in connection with any extension of credit unless the creditor usually and customarily accepts or will accept down payment in that amount.

(b) No advertisement to aid, promote, or assist directly or indirectly any credit sale of a vehicle shall state:

~~(i) The rate of a finance charge unless it states the rate of that charge expressed as an "annual percentage rate," using that term.~~

~~(ii) The amount of the down payment required or that no down payment is required, the amount of any installment payment, the dollar amount of any finance charge, the number of installments or the period of repayment, or that there is no charge for credit, unless it states all of the following items:~~

~~(A) The cash price or the amount of the loan, as applicable.~~

~~(B) The amount of the down payment required or that no down payment is required, as applicable.~~

~~(C) The number, amount, and due dates or period of payments scheduled to repay the indebtedness if the credit is extended.~~

~~(D) The amount of the finance charge expressed as an annual percentage rate.~~

~~(E) The deferred payment price or the sum of the payments, as applicable.~~

~~(c) No advertisement for the lease of a vehicle containing an option to purchase in which one of the following is used shall be made unless all of the following are disclosed:~~

~~(i) The full term of the lease;~~

~~(ii) The amount of each lease payment;~~

~~(iii) The number of lease payments;~~

~~(iv) The total amount of lease payments; and~~

~~(v) The residual balance due at the end of the lease necessary to purchase the vehicle.~~

~~(d) No advertisement to aid, promote or assist directly or indirectly in providing financing for a residual balance may be used unless it contains all the items required by (b).~~

~~(7)) (1) It shall not be considered unlawful under the provisions of RCW 46.70.180 ((7)) (1)(f) for a vehicle manufacturer to provide under the terms of any warranty that a purchaser of a vehicle must make warranty claims against only the manufacturer of an integral part of a vehicle if the manufacturer of that integral part has assumed a direct warranty obligation thereon to the purchaser and does, in fact, provide facilities or agencies within the states of Washington, Oregon or Idaho to discharge such warranty obligation.~~

~~((8)) (2) No manufacturer need make reimbursement under RCW 46.70.101 ((8)) (2)(j) except to dealers selling its product at retail or to the dealers holding units purchased from the manufacturer for resale at retail: PROVIDED, HOWEVER, That if the warranty agreement between the dealer and the manufacturer requires prior approval by the manufacturer, such approval must be given within a reasonable time and in no event later than ten days, except in emergency situations where the life, health, or safety of the occupant or owner requires immediate action.~~

NEW SECTION

WAC 308-66-152 UNLAWFUL PRACTICES. (1) Examples of unlawful acts or practices, as defined by RCW 46.70.180 (1)(a), shall include but not be limited to representations such as "no down payment," "a dollar down," "five dollars down," "take-over payments," "no cash out of your pocket," "no cash needed," and others of similar nature if either secondary financing or initial payment of any amount, including factory rebates in excess of that represented is required from the purchaser. A dealer's plan to have all or a portion of the selling price financed by a third party does not relieve the dealer of an obligation to refrain from this prohibited type of advertising. When any of these representations are made a payment disclosure shall be made as contained in subsection (6) of this section.

(2) Examples of unlawful acts or practices as defined by RCW 46.70.180 (1)(b), shall include but are not limited to representations such as "one hundred percent financing" if the terms of the purchase involve more than one security agreement and payments to more than one financing institution. When collateral in addition to the vehicle is required, it shall be listed on the security agreement containing the vehicle's description, not on a separate agreement. If a dealer advertises "collateral financing" or that collateral will be required, the dollar value of the required collateral shall be stated in the advertisement.

(3) It shall be considered false, deceptive or misleading, and thereby unlawful, to advertise with words, phrases, or initials which are not clear and conspicuous and easily comprehended by persons other than those closely allied with the vehicle industry.

(a) Clear and conspicuous within an advertisement shall mean:

(i) In the case of a television advertisement, the information required to be disclosed shall be completely disclosed audibly, visually, or a combination thereof.

(A) If made visually, shall be made in a type size sufficiently large to be read with reasonable ease; shall appear on the television screen for at least seven seconds; shall be in print type of a color or shade that contrasts readily with the background; shall not be obscured by other words or images appearing on the television screen; and

(B) If made audibly, shall be spoken with sufficient deliberateness, clarity, and volume so as to be understood by the average television listener; shall not be obscured by sounds which interfere with or distract from the disclosures being made.

(ii) In the case of a radio advertisement, the information required to be disclosed shall be spoken with sufficient deliberateness, clarity, and volume so as to be understood by the average radio listener; shall not be obscured by sounds which interfere with or distract from the disclosures being made.

(iii) In the case of a printed advertisement, the information required to be disclosed shall be made in a type size which shall be sufficiently large to be read with reasonable ease and shall be made in relatively close proximity to each of the terms which requires that the disclosures be made; disclosures shall be made in such color and contrast so as not to be obscured by other words or pictures appearing in the advertisement.

(b) Examples of words, phrases, or initials which are not easily comprehended by persons other than those closely allied with the vehicle industry, and that may not be used without explaining their meaning in the same advertisement, include but are not limited to: Executive; capitalized cost reduction, o.a.c., c.f., f.o.b. The words annual percentage rate may be abbreviated to read A.P.R. or apr.

(4) Examples of false, deceptive or misleading, and thereby unlawful statements or representations within the meaning of RCW 46.70.180(1) include, but are not limited to:

(a) Advertising a used vehicle for sale that is not available;

(b) Advertising a new vehicle as available for immediate delivery if it is available only on order;

(c) Advertising any offer in connection with the sale of a vehicle or model or type of vehicle without disclosing any limitations on the offer;

(d) Advertising using a picture:

(i) Of a new vehicle which does not substantially show the same vehicle offered for sale; or

(ii) Of a used vehicle which is not the same vehicle offered for sale;

(e) Causing an advertisement to be placed by a dealer or dealer representative that does not identify the dealer by his/her complete business name, or by the word "dealer" or abbreviation "DLR";

(f) Incorporating in the dealer's name any term or designation which would have a tendency to mislead others as to the true nature of the business, such as the use of "wholesale," when a dealer's business is substantially retail, or "discount" when the price and policy of a dealer does not provide substantial discounts;

(g) Advertising a used vehicle as defined in RCW 46.04.660, or a new vehicle demonstrator as defined in WAC 308-66-110, without designating the vehicle as "used," "demo," or "demonstrator";

(h) Advertising a "rebuilt vehicle" for sale with knowledge as defined in RCW 46.70.101(1)(b)(xi) that the vehicle is rebuilt, without clearly and conspicuously disclosing "rebuilt" in the advertisement;

(i) Advertising a specific price for a particular vehicle or model or type of vehicle without designating the number of vehicles available at that price, and;

(ii) Without clearly identifying the vehicles available by complete vehicle identification number, license plate number; or

(iii) Without clearly and conspicuously stating in the advertisement that such vehicle identification or license plate number for each advertised vehicle is available from the dealer upon request, and requiring that the dealer using this method of identifying vehicles keep the media advertising copy along with the vehicle identification number or license plate number of each advertised vehicle offered for a specific price. Such records shall be retained for one year following the advertisement. Dealers shall also date and post a written copy of the advertisement text and list of vehicle identification numbers or license plate numbers in a conspicuous public area at their place of business for the duration of the vehicle's availability at the advertised price: PROVIDED, That a dealer need not designate the number available or identify the vehicles available if, in fact, an unlimited supply of such vehicles are available for immediate delivery;

(j) Selling a particular vehicle at a higher price than advertised, regardless of trade-in allowance;

(k) Adding charges, costs, or items to the advertised price other than the selling price of additional equipment ordered by the purchaser,

sales tax, and license fees. "Additional equipment ordered by the purchaser" shall not include options already installed on the vehicle at the time of advertising;

(l) Expressing "advertised price" as a combination of:

(i) Dollar figures and words unless the total dollar figure is expressed; or

(ii) Dollar figures and dollar figures unless the total dollar figure is expressed;

(m) Advertising that a new vehicle or model or type of vehicle will be sold for a certain amount above or below invoice or cost without:

(i) Disclosing the actual dollar amount being referred to as "invoice" or "cost";

(ii) Stating the final, total price for each vehicle, which may exclude sales taxes and license fees; and

(iii) Computing invoice or cost as the actual cost to the dealer to get each vehicle from the dealer.

In calculating "invoice" or "cost" the dealer may include the actual cost of transportation of the vehicle from the manufacturer to the dealer, but must exclude dealer holdbacks, optional advertising fees, dealer overhead expenses, and other similar expenses or other manufacturer incentives;

(n) Advertising that a new or used vehicle is reduced in price from a former price, or that the advertised price is a percentage of dollar amount savings from a former price, or words to that effect, unless the seller actually recently advertised or has records showing that vehicle has been offered for sale at the former price;

(o) Advertising or offering:

(i) Any rebate that is not an authorized manufacturer's rebate paid directly to the consumer, which the consumer may apply to the purchase; and

(ii) Any manufacturer's rebate for which the manufacturer requires any financial participation by the dealer, without also clearly and conspicuously stating the following disclosure: "Dealer participation in this rebate program may increase vehicle price before rebate";

(p) Advertising that "any written price quote will be beaten," "any deal will be accepted," or that a dollar amount is guaranteed on any "push, pull or drag," trade-in, or words to that effect unless the dealer can clearly show through the records of the dealership that such is the case;

(q) Advertising a vehicle or model or type of vehicle as being available at "lowest cost," "best deal" or other words to that effect unless the dealer can clearly show through the records of the dealership that such is the case;

(r) Advertising an interest rate that is adjustable without clearly and conspicuously disclosing that the loan rate is adjustable;

(s) Advertising a vehicle or model or type of vehicle for sale at a financing rate which has been bought down by the dealer, without disclosing the actual annual percentage rate.

(5) No advertisement to aid, promote, or assist directly or indirectly any extension of credit may state:

(a) That a specific amount of credit or installment amount can be arranged unless the creditor usually and customarily arranges or will arrange credit amounts or installments for that period and in that amount; or

(b) That no down payment or that a specified down payment will be accepted in connection with any extension of credit unless the creditor usually and customarily accepts or will accept down payment in that amount.

(6) Any advertisement to aid, promote, or assist directly or indirectly any credit sale of a vehicle shall state clearly and conspicuously all of the following items:

(a) The cash price or the amount of the loan as applicable;

(b) The amount or percentage of the down payment required, or that no down payment is required, as applicable;

(c) The number, amount, and frequency of payments scheduled to repay the indebtedness if the credit is extended;

(d) The amount of the finance charge expressed as an annual percentage rate, using that term;

(e) The deferred payment price or the sum of the payments as applicable;

(f) The specific model or type of vehicle(s) to which the advertised offer applies;

(g) Any other conditions material to the advertised offer.

(7) Any advertisement to aid, promote, or assist directly or indirectly a consumer lease with option to purchase must state clearly that the advertisement offers a lease with option to purchase rather than a vehicle sale.

WSR 90-12-090

NOTICE OF PUBLIC MEETINGS SKAGIT VALLEY COLLEGE

[Memorandum—June 1, 1990]

SPECIAL MEETING BOARD OF TRUSTEES COMMUNITY COLLEGE DISTRICT NO. 4 SKAGIT VALLEY COLLEGE

There will be a special meeting of the board of trustees on Wednesday, June 6, 1990, 7:15 p.m. in the Board Room of the Campus Center Annex for the purpose of reviewing and discussing the 1990-91 proposed budget. During the course of the meeting, the board of trustees may hold an executive session if necessary. No formal board action is contemplated.

Skagit Valley College will schedule meetings in locations that are free of mobility barriers, and interpreters for deaf individuals and brailled or taped information for blind individuals can be provided when adequate notice is given to the president's office at the college.

WSR 90-12-091

PROPOSED RULES

PUBLIC DISCLOSURE COMMISSION

[Filed June 4, 1990, 11:57 a.m.]

Original Notice.

Title of Rule: WAC 390-20-111 Form for lobbyist employers report of political contributions; 390-12-050 Operations and procedures; 390-12-250 Declaratory order—Petition requisites—Consideration—Disposition; 390-12-255 Petitions for rule making, amendment or repeal—Form; 390-16-033 Earmarked contributions—Reporting form; 390-16-041 Forms for summary of total contributions and expenditures; 390-16-120 Abbreviated campaign reporting—Times and place for filing; 390-16-125 Abbreviated campaign reporting—Exceeding limitations; 390-16-155 Mini campaign reporting—Exceeding limitations; 390-20-125 Forms for registration and reporting by sponsors of grass roots campaigns; 390-37-063 Enforcement procedures—Demand for information; 390-37-100 Enforcement procedures—Conduct of hearings; 390-37-210 Hearings—Subpoenas; and 390-20-022 Definition—Development.

Purpose: Makes changes because of new legislation and some editing of previously adopted rules.

Statutory Authority for Adoption: RCW 42.17.370.

Summary: Update rules because of new legislation and correct typographical errors.

Reasons Supporting Proposal: Changes to the statute.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Graham E. Johnson, Olympia, 753-1111.

Name of Proponent: Public Disclosure Commission, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 390-20-111 adopts form L-3c for lobbyist employer to report political contributions totaling more

than \$100 when not made through lobbyist employer or an employer-affiliated political action committee; WAC 390-12-050 describes operations of the commission; WAC 390-12-250 describes how to request declaratory orders; WAC 390-12-255 describes procedures for rule making; WAC 390-16-033 adopts a special report that's required for reporting earmarked contributions; WAC 390-16-041 adopts the form that summarizes campaign contributions and expenditures and their schedules; WAC 390-16-120 describes when and where to file reports C-1, C-1pc and C-4abb; WAC 390-16-125 describes what to do when aggregate limits have been exceeded under abbreviated reporting; WAC 390-16-155 describes what to do when aggregate limits have been exceeded under mini reporting; WAC 390-20-125 adopts form L-6 which is required by sponsors of grass roots lobbying campaigns; WAC 390-37-063 explains procedures for requesting documents; WAC 390-37-100 explains procedures for conducting enforcement hearings; and WAC 390-37-210 explains procedures for commission to issue subpoenas.

Proposal Changes the Following Existing Rules:
Mostly editing changes for correctness.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Second Floor Conference Room, Evergreen Plaza Building, 711 Capitol Way, Olympia, WA 98504, on July 24, 1990, at 9 a.m.

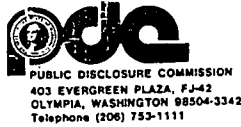
Submit Written Comments to: Graham E. Johnson, by July 23, 1990.

Date of Intended Adoption: July 24, 1990.

June 4, 1990
Graham E. Johnson
Executive Director

NEW SECTION

WAC 390-20-111 FORM FOR LOBBYIST EMPLOYERS REPORT OF POLITICAL CONTRIBUTIONS. The official form entitled "Employer of Lobbyist Monthly Political Contribution Report" as required by RCW 42.17.180 (2)(a) is designated "L-3c." Copies of this form are available at the commission office, Room 403, Evergreen Plaza Building, Olympia, Washington, 98504. Any attachments must be on 8-1/2" x 11" white paper.



**EMPLOYER OF LOBBYIST
MONTHLY POLITICAL CONTRIBUTION
REPORT**

L3c 6/90	P D C
	O F F I C E
	U S E

Employer's Name (Use Complete Company, Association, Union or Entity Name)

Mailing Address

City State Zip

Reporting Period (Month/Year During Which Contribution(s) Occurred)

Who Must File Report: Employers of lobbyists registered in Washington State making one or more contributions, including in-kind contributions, during one calendar month totaling more than \$100 to a candidate for state or local office, an elected state or local official, an officer or employee of any public agency, or a political committee. *Employer contributions made through and reported by a registered lobbyist or an employer-affiliated PAC are not reportable on an L-3c.*

What Must Be Reported: Contributions, including a loan, gift, deposit, subscription, forgiveness of indebtedness, donation, advance, pledge, payment, or transfer of anything of value, including personal and professional services for less than full consideration. Contributions to campaign accounts and public office fund accounts are reportable.

When Is The Report Filled: Within 15 days after the last day of each calendar month during which reportable contribution(s) was made. Reports are considered filed as of the post mark or hand-delivery date to PDC.

Itemize contributions that alone, or together with other contributions to the same recipient, total over \$100 during the calendar month specified above. If space provided is insufficient, use additional L-3c forms or 8-1/2" x 11" white paper.

Date of Contribution	Name and Address of Recipient	Description of Contribution*	Amount or Value*

*See reverse for details.

Certification: I certify that the information contained herein is true and complete to the best of my knowledge.

Name and title of person authorized to sign on employer's behalf (type or print)	Signature	Date
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Description of Contribution

- Monetary** Monetary contributions are those made in cash or by check, money order or other negotiable instrument. If total in amount column represents aggregate total given that recipient during the month (i.e., more than one contribution), indicate the date and amount of each contribution figured into the total.
- For contributions given to incumbent candidates and elected officials, indicate whether the contribution is for the recipient's campaign account or public office account.
- In-Kind** Donated goods or services qualify as reportable contributions. In-kind contributions include such things as discounts on products or services, free transportation, free or reduced-rate office space, personal services, polling services, professional assistance to campaign managers and help with preparation of political advertising.

Amount or Value of Contribution

- If the aggregate amount or value contributed to one recipient (candidate, elected official, agency officer or employee, or political committee) during a calendar month was over \$100 -- and the aggregate contribution was not reported by your lobbyist on his/her monthly report or the aggregate contribution was not made through and reported by your affiliated PAC -- put the total contributed in the Amount or Value column and provide the other required information.
- In-Kind** Value in-kind contributions at the amount you actually paid for the donated item or service or, if no purchase was made, value them at their fair market value. Fair market value is the amount a well-informed buyer or lessee, willing but not obligated to buy or lease, would pay; and what a well-informed seller, or lessor, willing but not obligated to sell or lease, would accept.

AMENDATORY SECTION (Amending Order 85-03, filed 7/9/85)

WAC 390-12-050 OPERATIONS AND PROCEDURES. (1) The public disclosure commission was created by the passage of Initiative 276 in 1972 for the principal purpose of providing the public with accurate information about certain financial affairs of candidates and elected officials, about the financing of election campaigns and the sponsors of political advertising, and about expenditures made in the course of lobbying. The initiative also contains provisions guaranteeing citizen access to most records of most elements of state and local government.

(2) The duties, responsibilities and powers of the commission are set forth in RCW 42.17.360, 42.17.370, 42.17.395 and 42.17.397. Provisions for establishing the commission and appointing the members thereof are stated in RCW 42.17.350.

(3) Commissioners meet monthly to consider and act on major policy matters, on requests for reporting modifications and on enforcement cases. All meetings are conducted in accordance with the Open Public Meetings Act (chapter 42.30 RCW) and the Administrative Procedure Act (chapter ~~(34.04)~~ 34.05 RCW), and Sturgis Standard Code of Parliamentary Procedure. The passage of any motion adopting, amending or repealing any rule, or recommending changes to the act shall require a majority vote of the members of the commission as distinguished from a quorum of the commissioners.

(4) The staff prepares and distributes reporting forms and instructions in the most practical manner to persons subject to the law. The instructions are intended to satisfy the requirement of RCW 42.17.360 to publish bookkeeping manuals. The staff also provides personal instruction and technical assistance to persons with specific problems and questions.

(5) Between ~~(35,000 and)~~ 45,000 and 55,000 reports are received during a calendar year from ~~((approximately 9,000))~~ an average of 9,500 reporting "clients." The staff receives these reports, records their receipt, and microfilms and files them. Every effort is made to have reports filmed and available for public inspection and copying within twenty-four hours of their receipt.

(6) Procedures for accessing the files of the agency are given in chapter 390-14 WAC. The staff will provide microfiche copies of reports when requested by mail or telephone. Reports are generally sent the same day the request is received. Answers to telephone inquiries seeking information from particular reports will be limited to (a) verification that a report is on file and (b), if regarding a campaign financing report, the most recent totals for contributions and expenditures.

(7) While some citizens will benefit from the reports by personally reviewing them, most will look to the news media for information. The staff compiles occasional summaries and studies for distribution to news outlets. Known as "Reports to the Public," they provide a condensed mirror image of the information in reports filed with the commission.

(8) The act demands complete, accurate and timely reporting. The commission, as a vehicle of communication between those engaged in political life and the general public, is expected to take whatever actions are necessary to assure the public of having the information it is entitled to; that the flow of communication is not interrupted by those responsible for providing the information. Within the resources provided the commission, reports are reviewed, field audits are conducted and complaints are investigated. The staff concentrates on assisting people in meeting their obligations under the law in hopes of fulfilling the purpose of the act without having to resort to enforcement actions resulting in embarrassment and monetary penalties. Gross negligence and evasions of the act will not be tolerated, however. Acting without fear or favor, the staff will bring to the commissioners for appropriate action all matters where there is evidence of a material violation of chapter 42.17 RCW and/or lack of substantial compliance.

AMENDATORY SECTION (Amending Order 85-03, filed 7/9/85)

WAC 390-12-250 DECLARATORY ~~((RULINGS))~~ ORDER—PETITION REQUISITES—CONSIDERATION—DISPOSITION.

(1) Any person may submit a petition for a declaratory ~~((rating))~~ order pursuant to RCW ~~((34.04.060))~~ 34.05.240 in any form so long as it

(a) Clearly states the question the declaratory ~~((rating))~~ order is to answer, and

(b) Provides a statement of the facts which raise the question.

(2) The executive director may conduct an independent investigation in order to fully develop the relevant facts.

(3) The executive director will present the petition to the commission at the first meeting when it is practical to do so and will provide the petitioner with at least five days notice of the time and place of such meeting. Such notice may be waived by the petitioner.

(4) The petitioner may present additional material and/or argument at any time prior to the issuance of the declaratory ~~((rating))~~ order.

(5) The commission may issue either a binding or a nonbinding ~~((rating))~~ order or decline to issue any ~~((rating))~~ order.

(6) The commission may decide that a public hearing would assist its deliberations and decisions. If such a hearing is ordered, it will be placed on the agenda of a meeting and at least five days notice of such meeting shall be provided to the petitioner.

(7) If an ~~((rating))~~ order is to be issued, the petitioner shall be provided a copy of the proposed ~~((rating))~~ order and invited to comment.

(8) The declaratory ~~((rating))~~ order cannot be a substitute for a compliance action and is intended to be prospective in effect.

(9) The commission will decline to consider a petition for a declaratory ~~((rating))~~ or to issue an ~~((rating))~~ order when (a) the petition requests advice regarding a factual situation which has actually taken place, or (b) when a pending investigation or compliance action involves a similar factual situation.

AMENDATORY SECTION (Amending Order 81-03, filed 8/28/81)

WAC 390-12-255 PETITIONS FOR RULE MAKING, AMENDMENT OR REPEAL—FORM—CONSIDERATION—DISPOSITION. (1) Any person may submit a petition requesting the promulgation, amendment or repeal of any rule by the commission pursuant to RCW ~~((34.04.060))~~ 34.05.330.

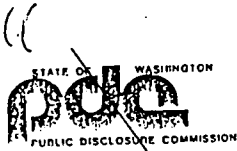
(2) The petition for rule making should contain a draft of any proposed rule and any argument in favor of its adoption, but no particular form is necessary.

(3) The commission will consider the petition at its next regular meeting after its submission. The petitioner shall be given notice of the time of that meeting.

(4) Within ~~((30))~~ 60 days after its ~~((consideration))~~ submission, the commission shall advise the petitioner that the petition has been denied, giving its reasons in detail, or initiate rule making proceedings under RCW ~~((34.04.025))~~ 34.05.330.

AMENDATORY SECTION (Amending WSR 89-20-068, filed 10/4/89)

WAC 390-16-033 EARMARKED CONTRIBUTIONS—REPORTING; FORM. The official form for reporting the details surrounding an earmarked contribution, as required by RCW 42.17.125, is designated "((Attachment E)) Special Report E", revised 1/90. This ((attachment)) report shall ((accompany each C-3 or C-4 which reports the receipt ((or giving)) of the contribution)) be filed within two working days of receiving a contribution earmarked for another candidate or committee. Copies of this form are available at the commission office, Room 403, Evergreen Plaza Building, Olympia, Washington 98504. ((Any attachments shall be on 8-1/2" x 11" white paper.))



EARMARKED CONTRIBUTION

SPECIAL REPORT E	P O R T K	PDC OFFICE USE
	R E C E I V E D	

1. Name of committee filing this report (Candidate or committee which received a contribution earmarked for another.)

Address _____

City _____ County _____ Zip _____

2. Original source of earmarked contribution

Name _____

Address _____

City _____ State _____ Zip _____

3. Contribution Date Amount/Value Description (Fully describe in kind contributions)

4. Name of candidate or committee to be benefited _____

Address _____

City _____ County _____ Zip _____

If candidate, what office is the person seeking? _____

5. Certification: I certify that the information contained herein is true, complete and correct to the best of my knowledge.

Treasurer's signature _____ Date _____

Instructions:

The purpose of this report is to highlight receipt of an earmarked contribution. (That is, a contribution given to one candidate or political committee with the understanding, intent or instruction that it be used to benefit another candidate or committee.) This report is filed in addition to any other required reporting of the transaction.

A separate "Special Report E" is filed for each earmarked contribution received by any candidate or political committee.

File this report within two working days of receiving the earmarked contribution. Mail or deliver the original to PDC. Send a copy to the benefiting candidate or committee, also within two working days.

Note: Candidates or committees for whom the earmarked contribution is ultimately intended report the contribution when they actually receive it. Such candidates and committees will use form C-3 or Schedule B to the C-4 to show receipt of the contribution. See PDC instruction manual for examples and more information.

STATE OF WASHINGTON

PUBLIC DISCLOSURE COMMISSION

EARMARKED CONTRIBUTION

SPECIAL REPORT

E

PDC OFFICE USE

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1. Name of committee filing this report (Candidate or committee which received a contribution earmarked for another.)

Address

City

County

Zip

2. Original source of earmarked contribution

Name

Address

City

State

Zip

3. Contribution Date Amount/Value Description (Fully describe in kind contributions)

4. Name of candidate or committee to be benefited

Address

City

County

Zip

If candidate, what office is the person seeking? _____

5. Certification: I certify that the information contained herein is true, complete and correct to the best of my knowledge.

Treasurer's signature _____ Date _____

INSTRUCTIONS:

The purpose of this report is to highlight receipt of an earmarked contribution. (That is, a contribution given to one candidate or political committee with the understanding, intent or instruction that it be used to benefit another candidate or committee.) This report is filed in addition to any other required reporting of the transaction.

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PUBLIC DISCLOSURE COMMISSION

403 Evergreen Plaza, Mail Stop FJ-42 • Olympia, Washington 98504-3342 • (206) 753-1111

PDC 90 E 1506

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

AMENDATORY SECTION (Amending WSR 89-20-068, filed 10/4/89)

WAC 390-16-041 FORMS—SUMMARY OF TOTAL CONTRIBUTIONS AND EXPENDITURES. (1) The official form for reports of contributions and expenditures by candidates and political committees who use the "full" reporting option is designated "C-4", revised 1/90, and includes Schedule A, revised 1/90, Schedule B, revised 1/90, Schedule C, revised 1/90, and Schedule L, revised 1/90.

(2) The official form for reports of contributions and expenditures by candidates for the state legislature or state executive office and who use the "full" reporting option is designated C-4, revised 1/90, and includes form ((C-4s)) C4x, revised 1/90, Schedule A-s/1, revised 1/90, Schedule B, revised 1/90, Schedule C, revised 1/90, and Schedule L, revised 1/90.

(3) The official form for reports of contributions and expenditures by candidates and political committees who use the "abbreviated" reporting option is designated "C-4abb", revised 1/90.

(4) Copies of these forms are available at the commission office, Room 403, Evergreen Plaza Building, Olympia, Washington 98504. Any attachments shall be on 8-1/2" x 11" white paper.



SUMMARY, FULL REPORT RECEIPTS AND EXPENDITURE

Form box containing 'C4' and 'PDC OFFICE USE' with vertical text 'POST RECEIVED'.

Name of candidate or committee name (Do not abbreviate. Include full name).

Address

County

Zip

Period From: (last C-4) To: (end of period)

This report period

Total for campaign or year

RECEIPTS

Previous total cash and in kind contributions (From line 8, last C-4) (If beginning a new campaign or calendar year, see instruction booklet)

Cash received (From line 2, Schedule A)

In kind contributions received (From line 1, Schedule B)

Total cash and in kind contributions received (Line 2 plus 3)

Loan principal repayments made (From line 2, Schedule L)

Corrections (From line 1 or 3, Schedule C) Show + or (-)

Net contributions this period (Combine lines 4, 5, & 6) Show + or (-)

Total cash and in kind contributions during campaign (Total lines 1 & 7)

Total pledge payments due (From line 2, Schedule B)

EXPENDITURES

Previous total cash and in kind expenditures (From line 17, last C-4) (If beginning a new campaign or calendar year, see instruction booklet)

Total cash expenditures (From line 4, Schedule A)

In kind expenditures (goods & services) (From line 1, Schedule B)

Total cash and in kind expenditures made (Line 11 plus line 12)

Loan principal repayments made (From line 2, Schedule L)

Corrections (From line 2 or 3, Schedule C) Show + or (-)

Net expenditures this period (Combine lines 13, 14 & 15) Show + or (-)

Total cash and in kind expenditures during campaign (Total lines 10 and 16)

CANDIDATES

Please complete:

Table with columns: Primary election, General election, Won, Lost, Unopposed, Name not on ballot.

CASH SUMMARY

- 18. Funds on hand at start of period (include all accounts, savings)
19. Cash receipts this period
20. Disbursements this period
21. Funds on hand at close of period
22. Liabilities: (Loans and debts owed)
23. Surplus or deficit: (Subtract line 22 from line 21)

DECLARATION: I certify that the information herein and on accompanying schedules and attachments is true to the best of my knowledge.

Candidate's Signature

Date

Treasurer's Signature (if a political committee)

Date

STATE OF WASHINGTON

SUMMARY, FULL REPORT RECEIPTS AND EXPENDITURE

C4

PDC OFFICE USE

PM
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PUBLIC DISCLOSURE COMMISSION

Candidate or committee name (Do not abbreviate. Include full name.)

Address

City County Zip

Report Period Covered From: (last C-4) To: (end of period)

RECEIPTS

- 1. Previous total cash and in kind contributions (From line 8, last C-4)
2. Cash received (From line 2, Schedule A)
3. In kind contributions received (From line 1, Schedule B)
4. Total cash and in kind contributions received this period (Line 2 plus 3)
5. Loan principal repayments made (From line 2, Schedule L)
6. Corrections (From line 1 or 3, Schedule C)
7. Net adjustments this period (Combine lines 5 & 6)
8. Total cash and in kind contributions during campaign (Combine lines 1, 4 & 7)
9. Total pledge payments due (From line 2, Schedule B)

EXPENDITURES

- 10. Previous total cash and in kind expenditures (From line 17, last C-4)
11. Total cash expenditures (From line 4, Schedule A or line 5 Schedule A-s/l)
12. In kind expenditures (goods & services) (From line 1, Schedule B)
13. Total cash and in kind expenditures made this period (Line 11 plus line 12)
14. Loan principal repayments made (From line 2, Schedule L)
15. Corrections (From line 2 or 3, Schedule C)
16. Net adjustments this period (Combine lines 14 & 15)
17. Total cash and in kind expenditures during campaign (Combine lines 10, 13 and 16)

CANDIDATES

Please complete:

Table with columns: Won, Lost, Unopposed, Name not on ballot. Rows: Primary election, General election.

CASH SUMMARY

- 18. Cash on hand (Line 8 minus line 17)
19. Liabilities: (Sum of loans and debts owed)
20. Balance (Surplus or deficit) (Line 18 minus line 19)

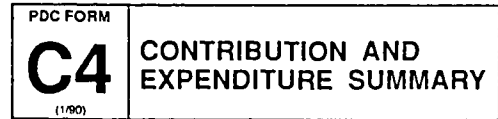
CERTIFICATION: I certify that the information herein and on accompanying schedules and attachments is true to the best of my knowledge.

Candidate's Signature

Date

Treasurer's Signature (if a political committee)

Date



INSTRUCTIONS

Please consult PDC instruction manuals when completing this report. Reporting requirements are contained in and governed by chapters 42.17 RCW and 390-16 WAC.

- WHO MUST FILE** Each candidate and political committee using Full Reporting.
- FILING DATES**
- 1) File with C-1 (Registration) if you received contributions or made expenditures before registering.
 - 2) File on the 10th of each month if contributions or expenditures were over \$200 since last C-4 was filed. (Note: These 10th-of-the-month reports are not required if another C-4 must be filed during that month. See #3 below.)
 - 3) For each primary, general and special election in which the candidate or political committee makes an expenditure, file
 - 21 days prior to the election
 - 7 days prior to the election
 - 10th of the first month after the election*
- (*Not required after primary from candidates who will be in the general election or from continuing political committees.)
- 4) File final report when campaign is finished or committee closes operation. Often, this coincides with the primary or general post-election, 10th-of-the-month report.
- All reports are considered filed as of the postmark date or the date hand-delivered to PDC.
- SCHEDULES AND ATTACHMENTS**
- State executive and legislative candidates will file Schedules A-s/l, B, C and L, as appropriate, along with the C-4. These candidates also will file Form C-4x with each C-4.
- Judicial and local office candidates and all political committees will file Schedules A, B, C and L, as appropriate, along with their C-4 reports.
- All candidates and committees must attach any C-3 reports that were due but not filed.
- WHERE TO SEND REPORTS**
- Send original C-4 reports along with any attachments to PDC at the above address. Candidates send a duplicate copy to their County Auditor (County Elections Department). Political committees send a copy to County Auditor of the county in which their headquarters is located or, if no headquarters, the county in which their treasurer resides.
- OTHER REPORTS**
- C-3 (Cash Receipts Report): Used with Full Reporting only.
- C-4 (Contribution and Expenditure Report): Used with Full Reporting only.
- ABB C-4 (Receipts and Expenditures Summary): Filed by candidates using Abbreviated Reporting.
- Special Report E (Earmarked Contributions Report): Filed by committees which receive funds earmarked for use on behalf of another candidate or committee.

For assistance, call or write PDC!

CASH RECEIPTS AND EXPENDITURES

SCHEDULE A to C4 (1/90)

Candidate or committee name (Do not abbreviate. Use full name)

1. CASH RECEIPTS (Contributions) which have been reported on C3. List each deposit made since last C4 report was submitted.

Table with columns: Date of deposit, Amount, Date of deposit, Amount, Date of deposit, Amount, Total deposits

2. TOTAL CASH RECEIPTS

Enter also on line 2 of C4

3. CASH EXPENDITURES. List all expenses since last C-4 report was filed.

- a. Total expenditures each \$50 or less not itemized below (including petty cash)
b. Payments and reimbursement to candidate or committee officials. Attach a sheet listing each payment, the person paid, the original vendor and the purpose of the expenditure. Attach a copy of each receipt or invoice.

EXPENDITURES OVER \$50.00. ITEMIZE EACH BELOW.

Table with columns: Date paid, Name and address of recipient or vendor paid, Purpose of expenditure

Check here [] if continued on attached sheet

Total from attached pages

4. TOTAL CASH EXPENDITURES

Enter also on line 11 of C4

PDC form C4A (rev. 1-90) -1499-

**IN KIND CONTRIBUTIONS, PLEDGES, ORDERS,
DEBTS, OBLIGATIONS**

SCHEDULE B
to C4 (1/90)

Candidate or committee name (Do not abbreviate. Use full name)

1. IN KIND CONTRIBUTIONS RECEIVED (goods, services, discounts, etc.)

Date received	Contributor's name and address	Description of contribution	Fair market value	Total given by this person during campaign or year
TOTAL				
(Enter also on line 3 and line 12 of C4)				

2. PLEDGES RECEIVED BUT NOT YET PAID. List each pledge of \$100.00 or more.

Date you were notified of pledge	Name and address of person making pledge (including organizations)	Amount	Total given by this person during campaign or year
TOTAL (Include new pledges above and all other outstanding pledges.)			
(Enter also on line 9 of C4)			

3. ORDERS PLACED, DEBTS, OBLIGATIONS, ESTIMATED EXPENDITURES (Excluding loans. Report loans on Schedule L.)

- a. List each debt, obligation or estimated expenditure which is more than \$250.00.
- b. List each debt, obligation or estimated expenditure which is more than \$50.00 and has been outstanding for over 30 days.

Expenditure date	Vendor's/Recipient's name and address	Amount owed	Purpose of expenditure
TOTAL			
(Include in line 19 of C4)			

CORRECTIONS

SCHEDULE C
to C4

Candidate or committee name (Do not abbreviate. Use full name.)

Date

1. CONTRIBUTIONS AND RECEIPTS (Include mathematical corrections.)

Date of report	Contributor's name or description of correction	Amount reported	Corrected amount	Difference (+ or -)
Total corrections to contributions Enter on line 6 of C4. Show + or (-).				

2. EXPENDITURES (Include mathematical corrections.)

Date of report	Vendor's name or description of correction	Amount reported	Corrected amount	Difference (+ or -)
Total corrections to expenditures Enter on line 15 of C4. Show + or (-).				

3. REFUNDS. The below listed amounts have been received as refunds on expenditures previously reported. The refund has been deposited and reported on C3 report, line 1d.

Date of refund	Source/person making refund	Amount of refund
Total refunds Enter as (-) on line 6 & line 15 of C4.		

LOANS

See instructions and examples on reverse

SCHEDULE
TO C3
OR C4

L
(1/90)

Candidate or committee name

1. LOAN RECEIVED.

Date loaned	Lender's name and address	Amount of loan	Annual interest rate	Repayment schedule	Date due

Also include this amount on line 1c, C3 report →

Name and address of each endorser, co-signer, guarantor or other person liable for the loan:

2. LOAN PAYMENTS.

Date paid	Lender's name and address	Principal paid	Interest paid	Total payment	Balance owed
		Total Principal Paid (Enter also on lines 5 and 14, C-4 report) →			
				Total Payments (Enter as an expenditure on Schedule A) →	

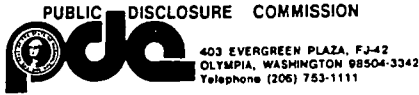
3. LOAN FORGIVEN.

Date	Lender's name and address	Original amount	Principal repaid	Amount forgiven	Balance owed

4. LOANS STILL OWED. List each loan which has previously been reported and still has a balance due.

Loan date	Lender's name and address	Original amount	Principal repaid or forgiven	Amount owed
				Subtotal _____
				New loans received during this reporting period _____
				Total Loans Owed (Include in total on line 19, C-4 report) _____

Check here if continued on attached sheet.



SCHEDULE TO C3 OR C4	L (1,90)	LOANS
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INSTRUCTIONS

Please consult PDC instruction manuals when completing this schedule.
Reporting requirements are contained in and governed by chapters 42.17 RCW and 390-16 WAC.

WHO MUST FILE Each candidate and political committee using full reporting that receives one or more campaign loans.

FILING DATES When a loan is received by the campaign, complete Part 1 and file the Schedule L with the C-3 report that corresponds with the loan's deposit into the account. Use a separate schedule for each loan received.

When a loan is paid or forgiven, in whole or in part, complete Part 2 and/or Part 3 and file the Schedule L with the C-4 covering the period when the payment or forgiveness occurred.

When one or more loans remain unpaid, complete Part 4 and file the schedule with each C-4 report until all loans are repaid in full or forgiven. (The same schedule may be used to show loan payments, forgiveness information and to show which loans remain unpaid.)

LOAN RECEIVED
(Information would appear on separate Schedule L)

LOAN PAYMENTS

LOAN FORGIVEN

LOANS STILL OWED

LOANS		See instructions and examples on reverse		SCHEDULE TO C3 OR C4	L (1,90)	LOANS
Candidate or Committee Name Adrian Adams for State House						
1. LOAN RECEIVED.						
Date Received	Lender's name and address	Amount of loan	Annual interest rate	Repayment schedule	Date due	
2/10/9X	Candidate	\$5,000	12%	\$200/month	Not fixed	
		Also include this amount on line 10, C-3 report		\$5,000		
Name and address of each lender, co-signer, guarantor or other person liable for the loan						
Commercial loan to the candidate from Washington State Bank. Loan co-signed by Sen P. Smith, 145 Boulevard Drive, Podunk, WA and Jane S. Paul, 541 B Street, Podunk, WA. Each guaranteed \$2,500 of the loan.						
2. LOAN PAYMENTS.						
Date paid	Lender's name and address	Principal paid	Interest paid	Total payment	Balance owed	
3/30/9X	Candidate	\$200	\$50	\$250	\$4,800	
3/31/9X	Michael Murray	\$100	None	\$100	\$400	
		Total Principal Paid →	\$300			
		(Enter also on lines 5 and 14, C-4 report)		Total Payments →	\$350	
				(Enter as an expenditure on Schedule A)		
3. LOAN FORGIVEN.						
Date	Lender's name and address	Original amount	Principal repaid	Amount forgiven	Balance owed	
3/15/9X	Kelly Adams	\$250	None	\$150	\$100	
4. LOANS STILL OWED. List each loan which has previously been reported and still has a balance due.						
Loan date	Lender's name and address	Original amount	Principal repaid to date	Amount owed to date	Balance owed	
2/10/9X	Candidate	\$5,000	\$200	\$4,800	\$4,800	
1/22/9X	Michael Murray	500	100	400	400	
3/01/9X	Kelly Adams	250	150	100	100	
3/11/9X	K.M. Lawrence	1,000	0	1,000	1,000	
					Subtotal	\$6,300
New loans received during this reporting period						
					0	
* Check here if corrected on attached sheet						
					Total Loans Owed	\$6,300
					(Include in total on line 18, C-4 report)	

DETAILED EXPENDITURE SUMMARY

State executive and legislative candidates only.



Candidate Name (Do not abbreviate. Include full name.) _____

INSTRUCTIONS. State executive and legislative candidates are required to provide additional detail about the purpose of expenditures from their campaign funds. Using information from the Schedule A-s/l report and your campaign financial records, provide the information below. Attach this report to each C4 report filed.

1. EXPENDITURES FOR YOUR OWN CAMPAIGN

- a. Expenditures previously reported (from line 1c, last C4x) _____
b. Campaign spending during this report period _____
c. Total campaign expenditures (1a & 1b) _____

2. CONTRIBUTIONS OR LOANS TO OTHER CANDIDATES OR COMMITTEES

- a. Previous contributions or loans still outstanding (from line 2d, last C4x) _____
b. Loans repaid to your committee during this period () _____
c. Contributions or loans during this report period _____
d. Total contributions or loans to others (2a+2b+2c) _____

3. OFFICE RELATED EXPENSES

- a. Previous office expenses (from line 3c, last C4x) _____
b. Office related expenses this report period _____
c. Total office related expenses (3a + 3b) _____

4. OTHER EXPENDITURES

- a. Other miscellaneous expenditures previously reported (from line 4c, last C4x) _____
b. Other expenditures this report period _____
c. Total other expenditures (4a + 4b) _____

5. TOTAL CASH EXPENDITURES (1c + 2d + 3c + 4c) _____

DDI Form C4S (rev. 1-90) 1500

CASH RECEIPTS AND EXPENDITURES STATE EXECUTIVE AND LEGISLATIVE CANDIDATES

SCHEDULE to C4 A-S/L (1/90)

Candidate or committee name (Do not abbreviate. Use full name)

1. CASH RECEIPTS (Contributions) which have been reported on C3. List each deposit made since last C4 report was submitted.

Table with 7 columns: Date of deposit, Amount, Date of deposit, Amount, Date of deposit, Amount, Total deposits

2. TOTAL CASH RECEIPTS

Enter also on line 2 of C4

3. CASH EXPENDITURES FOR YOUR OWN ELECTION CAMPAIGN. List all expenses since last C-4 report was filed.

- a. Total expenditures each \$50 or less not itemized below (including petty cash)
b. Payments and reimbursement to candidate or committee officials. Attach a sheet listing each payment, the person paid, the original vendor and the purpose of the expenditure. Attach a copy of each receipt or invoice.

EXPENDITURES OVER \$50.00. ITEMIZE EACH BELOW.

Table with 3 columns: Date paid, Name and address of recipient or vendor paid, Purpose of expenditure

Check here [] if continued on attached sheet

Total from attached pages

Total expenses

Also enter on line 1b of C4x

4. Non-campaign Expenditures. Provide information about any campaign account expenditures which were not related to your own election or re-election. Enter the total amount spent for each category on the line provided. If "none," specify none. In the space provided for each category (or on an attached sheet), show the date, recipient's name and mailing address, the purpose and the amount of each expenditure included in the category total. Also enter the respective totals on lines 2c, 3b and 4b of form C4x.

- a. Contributions or loans to other candidates or political committees
b. Office related expenses (incumbents only)
c. All other non-campaign expenses (including expenditures of surplus funds)

5. TOTAL CASH EXPENDITURES

Enter also on line 11 of C4

STATE OF WASHINGTON
 PUBLIC DISCLOSURE COMMISSION

SUMMARY, ABBREVIATED REPORT RECEIPTS AND EXPENDITURES

**ABB
 C4**
(1/90)
 PDC OFFICE USE
 P
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C
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I
V
E
D

Candidate or committee name (Do not abbreviate. Include full name) _____
 Address _____
 City _____ County _____ Zip _____

1. PERIOD COVERED BY REPORT: From _____ to: _____
 a. Candidates: Start of campaign through general election
 b. Ballot measure committees: Start of campaign through date of election
 c. Other committees: Calendar year January 1 through December 31

2. RECEIPTS

a. Cash on hand from previous campaign or year
 (Include money in checking, savings and other accounts) _____

b. Cash contributions received this campaign or year
 (Include monetary contributions, loans, fund raising
 and cash contributions by a candidate) _____

c. Total cash receipts (Add lines 2a + 2b) _____

d. Other contributions, including in-kind
 (Include candidates and committee workers out of pocket
 expenditures over \$50.00, donated goods and services,
 filing fees paid by others and similar non-cash contributions) _____

e. Total contributions (Add lines 2c + 2d) _____

3. EXPENSES

a. Cash expenditures _____

b. Other expenditures. (Enter the amount shown on line 2d above here.
 Non-cash contributions are listed as both received and expended.
 Disregard any materials which may remain on hand.) _____

c. Total expenditures (Add lines 3a + 3b) _____

4. SURPLUS / DEFICIT

a. Cash on hand at end of reporting period (Subtract: line 3a from 2c) _____

b. Debts and obligations owed _____

c. Surplus or deficit _____

CANDIDATES

	Won	Lost	Unopposed	Name not on ballot
Primary election	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
General election	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

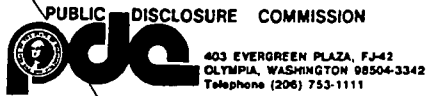
Please complete:

CERTIFICATION: I certify that this report is true and correct to the best of my knowledge.

Candidate's signature	Date	Treasurer's signature (if a political committee)	Date
-----------------------	------	--	------

PDC Form C4AB (Rev. 1/90) 1499

See instructions on reverse



PDC FORM ABB C4 <small>(1/90)</small>	ABBREVIATED RECEIPTS & EXPENDITURES REPORT
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INSTRUCTIONS

Please consult PDC instruction manuals when completing this report. Reporting requirements are contained in and governed by chapters 42.17 RCW and 390-16 WAC.

- WHO MUST FILE** Each candidate and political committee using Abbreviated Reporting.
- FILING DATES**
- 1) Special election candidates and political committees supporting or opposing special election candidates or ballot issues file on the 10th of the month following the election.
 - 2) Candidates who lose in the primary and political committees supporting or opposing primary election ballot issues file on October 10.
 - 3) Candidates who are in the general election and political committees making expenditures supporting or opposing general election candidates or ballot measures file on December 10.
 - 4) Continuing political committees file annual reports on January 10 covering the preceding calendar year.
 - 5) A final report is filed whenever a candidate's committee or a political committee ceases operation, disposes of any surplus campaign funds and has a zero account balance. Final reports may be filed at any time and may coincide with one of the due dates listed above.
- All reports are considered filed as of the postmark date or the date hand-delivered to PDC.
- WHERE TO FILE** Send original C-4 ABB report to PDC at the above address. Candidates send a duplicate copy to their County Auditor (County Election Department). Political committees send a copy to County Auditor of the county in which their headquarters is located or, if no headquarters, the county in which their treasurer resides.

For assistance, call or write PDC!

STATE OF WASHINGTON

SUMMARY, ABBREVIATED REPORT RECEIPTS AND EXPENDITURES

PUBLIC DISCLOSURE COMMISSION

ABB C4 (1/90)

PDC OFFICE USE RECEIVED

Candidate or committee name (Do not abbreviate. Include full name)

Address

City

County

Zip

1. PERIOD COVERED BY REPORT: From: to:

- a. Candidates: Start of campaign through the end of the month in which the election occurred.
b. Ballot Measure Committees: Start of campaign through the end of the month in which the election occurred.
c. Continuing Committees filing post-election report: January 1 through end of the month in which election occurred.
d. Continuing Committees filing annual report: Calendar year (January 1 through December 31).

2. RECEIPTS

- a. Cash on hand from previous campaign or year (Include money in checking, savings and other accounts)
b. Cash contributions received this campaign or year (Include monetary contributions, loans, fund raising and cash contributions by a candidate)
c. Total cash receipts (Add lines 2a + 2b)
d. Other contributions, including in-kind (Include candidates and committee workers out of pocket expenditures over \$50.00, donated goods and services, filing fees paid by others and similar non-cash contributions)
e. Total contributions (Add lines 2c + 2d)

3. EXPENSES

- a. Cash expenditures
b. Other expenditures. (Enter the amount shown on line 2d above here. Non-cash contributions are listed as both received and expended. Disregard any materials which may remain on hand.)
c. Total expenditures (Add lines 3a + 3b)

4. SURPLUS/DEFICIT

- a. Cash on hand at end of reporting period (Subtract: line 3a from 2c)
b. Debts and obligations owed
c. Surplus or deficit

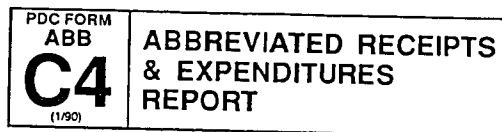
Table with columns: CANDIDATES, Primary election, General election, Won, Lost, Unopposed, Name not on ballot. Includes checkboxes for election types and outcomes.

CERTIFICATION: I certify that this report is true and correct to the best of my knowledge.

Candidate's signature Date Treasurer's signature (if a political committee) Date

POC form C4ABB (Rev. 1/90) -1499-

See instructions on reverse



INSTRUCTIONS

Please consult PDC instruction manuals when completing this report.
 Reporting requirements are contained in and governed by chapters 42.17 RCW and 390-16 WAC.

WHO MUST FILE

Each candidate and political committee using Abbreviated Reporting.

FILING DATES

- 1) Special election candidates and political committees supporting or opposing special election candidates or ballot issues file on the 10th of the month following the election.
- 2) Candidates and political committees making expenditures supporting or opposing primary or general election candidates or ballot measures file on December 10.
- 3) Continuing political committees that do not take part in a primary or general election are only required to file an annual report on January 10 covering the preceding calendar year.
- 4) A final report is filed whenever a candidate's committee or a political committee ceases operation, disposes of any surplus campaign funds and has a zero account balance. Final reports may be filed at any time and may coincide with one of the due dates listed above.

All reports are considered filed as of the postmark date or the date hand-delivered to PDC.

WHERE TO FILE

Send original ABB C-4 report to PDC at the above address. Candidates send a duplicate copy to their County Auditor (County Election Department). Political committees send a copy to County Auditor of the county in which their headquarters is located or, if no headquarters, the county in which their treasurer resides.

For assistance, call or write PDC!

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending WSR 89-20-068, filed 10/4/89)

WAC 390-16-120 ABBREVIATED CAMPAIGN REPORTING—TIMES AND PLACE FOR FILING REPORTS C-1, C-1PC AND C-4ABB. (1) The report C-1 or C-1pc shall be filed by any candidate or political committee intending to use the abbreviated reporting recognized and regulated by WAC 390-16-105 or 390-16-115 within fourteen days of becoming a candidate or organizing a committee.

(2) In the case of a continuing political committee, the C-1pc report shall be filed initially within fourteen days after accepting any contributions or making any expenditures. Thereafter, the C-1pc shall be filed each year between January 1 and January 31 for any year in which the committee intends to use the abbreviated reporting system and within ten days of any date a change is made in reportable information. Failure to file a new registration statement during January shall automatically terminate the committee's entitlement to use the abbreviated reporting system until such time as a new C-1pc is filed.

(3) The report form C-4abb shall be filed by each candidate and political committee by the tenth day of the first month after each election in which there was participation. However, no report shall be required following a primary election unless the candidate is defeated in the primary.

Additionally, in the case of a continuing political committee, the report Form C-4abb shall be filed not later than January 10 summarizing the total contributions received and expenditures made during the preceding calendar year.

(4) The original of each report required by this section shall be filed with the public disclosure commission. A copy shall be filed with the elections officer of the county in which the candidate or committee treasurer resides and a copy shall be retained by the candidate or committee treasurer.

AMENDATORY SECTION (Amending WSR 89-20-068, filed 10/4/89)

WAC 390-16-125 ABBREVIATED CAMPAIGN REPORTING—EXCEEDING LIMITATIONS. Whenever there is reason to believe that any of the aggregate limitations specified in WAC 390-16-105, 390-16-115, or 390-16-120 will or may be exceeded, the candidate or committee may apply to the commission for authorization to change reporting options.

(1) If the application is made more than thirty days prior to the date of the election, the application will be considered approved without further action by the commission if the person making application submits:

(a) A PDC Form C-1 or C-1pc indicating the intention of using the full reporting system provided by RCW 42.17.040-42.17.090;

(b) A PDC Form C-4 with schedules A, B, C and L, as appropriate, disclosing all contributions and expenditures reportable under RCW 42.17.090 for the election campaign or in the case of continuing political committees for the calendar year. Additionally candidates for state executive or legislative office must file a ((~~E4s~~)) C4x report.

(c) A statement affirming that all known candidates for the office being sought have been notified personally of the application stating the manner and date of such notification. In the case of a ballot proposition, the statement shall affirm that the committee treasurer of all committees identifiable from the records of the county elections officer or public disclosure commission to be opposing or supporting the proposition have been notified personally of the application stating the manner and date of such notification.

(2) If the application is made within thirty days of the date of the election, the application shall be approved only by authorization of the commission executive director.

(a) Prior to such approval being granted, the executive director shall determine that the application contains those documents shown in subsection (1)(a), (b) and (c) above.

(b) The commission staff shall investigate why the applicable requirements were not complied with in the first instance and whether or not the probability of exceeding such limitations was reasonably foreseeable. If the investigation shows that the declaration by the candidate, committee or other person filed under WAC 390-16-115 was

made in good faith and that the probability of exceeding such limitations was not reasonably foreseeable, the executive director will approve the reporting option change conditioned upon full future compliance with all applicable requirements of chapter 42.17 RCW.

(3) When one candidate or committee on either side of an election campaign has applied for permission to exceed the limitations of the exemption under subsection (1) above, all other candidates and/or committees may change reporting options by meeting the requirements of subsection (1)(a), (b) & (c).

(4) Any person who knowingly or negligently causes or permits the limitations specified in these regulations to be exceeded shall be deemed to have violated the applicable provisions of RCW 42.17.040-42.17.090.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending WSR 89-20-068, filed 10/1/89 [10/4/89])

WAC 390-16-155 MINI CAMPAIGN REPORTING—EXCEEDING LIMITATIONS. (1) Whenever there is reason to believe that the expenditure limits provided in WAC 390-16-150 will be exceeded or that the candidate or candidate's committee will exceed the limitations on contributions and expenditures provided in WAC 390-16-150, the candidate may apply to the commission for authorization to change to the abbreviated reporting option provided in WAC 390-16-105.

(a) The application shall take the form of a new C-1 report indicating the candidate's or candidate committee's intent to report in accordance with ((~~either~~)) the abbreviated reporting system provided in WAC 390-16-105.

(b) The application shall be accompanied by a statement signed by the candidate affirming that all known candidates for the office being sought have been notified personally of the application stating the manner and date of notification.

(c) The application shall be submitted to the commission and duplicate copies of the C-1 report submitted to the county elections officer of the county where the candidate resides within one day of the time that expenditure limits are exceeded.

(2) The application shall be approved without further commission action.

(3) The candidate shall subsequently comply with the rules for abbreviated campaign finance reporting.

(4) Any candidate desiring to change to the full reporting option will follow the procedures outlined in WAC 390-16-125.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

AMENDATORY SECTION (Amending WSR 90-12-077 [85-05], filed 6/1/90 [11/26/85])

WAC 390-20-125 FORMS FOR REGISTRATION AND REPORTING BY SPONSORS OF GRASS ROOTS LOBBYING CAMPAIGNS. The official form for registration and reporting by sponsors of grass roots lobbying campaigns as required by RCW 42.17.200 is designated "L-6", revised 6/90. Copies of this form are available at the commission office, Room 403, Evergreen Plaza Building, Olympia, Washington 98504. Any attachments shall be on 8-1/2" x 11" white paper.



State of Washington
Public Disclosure Commission

GRASS ROOTS LOBBYING

PDC FORM

L-6

(12/85)

PDC OFFICE USE

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SPONSOR'S NAME

ADDRESS

CITY

STATE

ZIP

PHONE

1. DESCRIBE THE TOPIC(S) OR LEGISLATION ABOUT WHICH THE CAMPAIGN IS CONDUCTED. INCLUDE BILL, RULE, RATE, STANDARD NUMBER, IF ANY.

2. THIS REPORT COVERS:

REGISTRATION (INITIAL REPORT)

MONTHLY REPORT

FROM _____ TO _____

FINAL REPORT (CAMPAIGN IS ENDED)

3. LIST THE PRINCIPAL OFFICERS OF THE GROUP OR ORGANIZATION IF THE SPONSOR IS A BUSINESS, UNION, ASSOCIATION, POLITICAL ORGANIZATION OR OTHER ENTITY.

NAME

TITLE

ADDRESS

4. WHO IS ORGANIZING OR MANAGING THE CAMPAIGN? LIST PERSONS OR FIRMS HIRED TO ASSIST IN THE CAMPAIGN, INCLUDING PUBLIC RELATIONS AND ADVERTISING AGENTS

NAME AND ADDRESS

OCCUPATION OR BUSINESS

TERMS OF COMPENSATION

5. EXPENDITURES MADE OR INCURRED IN THE CAMPAIGN:

1. Previous expenditures (from line 4, last L-6 report)

\$ _____

2. Expenses this reporting period:

A. Radio

B. Television

C. Newspapers, magazines

D. Brochures, signs

E. Printing and mailing

F. Consultants, public relations

G. Office expense, travel, salaries

H. Contributions

I. Entertainment

J. Other expenses

3. Total expenditures this period (lines 2a-2j)

4. Total expenditures in the campaign (lines 1 + 3)

CONTINUE ON REVERSE

6. CONTRIBUTIONS:

LIST EACH PERSON OR ORGANIZATION WHO HAS CONTRIBUTED \$25 OR MORE DURING THIS REPORT PERIOD

NAME	ADDRESS, CITY, ZIP	AMOUNT

LIST TOTAL AMOUNT FROM ANY ATTACHED PAGES.....

TOTAL AMOUNT RECEIVED IN CONTRIBUTIONS LESS THAN \$25 WHERE CONTRIBUTOR'S NAME IS NOT LISTED....

TOTAL CONTRIBUTIONS THIS PERIOD.....

CONTRIBUTIONS PREVIOUSLY REPORTED.....

TOTAL CONTRIBUTIONS DURING THE CAMPAIGN.....

CERTIFICATION: I HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE INFORMATION CONTAINED IN THIS REPORT IS TRUE AND CORRECT.

SIGNATURE.....

TITLE..... DATE.....

INSTRUCTIONS

WHO SHOULD FILE THIS FORM: Any sponsor, i.e., any person who has made expenditures, not reported under other sections of the Public Disclosure Act, exceeding \$1,000 within any three month period or exceeding \$500 within any one month period in presenting a program addressed to the public, a substantial portion of which is intended, designed, or calculated primarily to influence state legislation.

FILING DEADLINE: Within 30 days after becoming a sponsor. Monthly reports required on the 10th of the following month. Termination statement to be filed with final monthly report.

SEND REPORT TO: PUBLIC DISCLOSURE COMMISSION
403 Evergreen Plaza Bldg.
Olympia, WA 98504

QUESTIONS: CALL (206) 753-1111



State of Washington
Public Disclosure Commission

GRASS ROOTS LOBBYING

PDC FORM
L-6
(12/85)

PDC OFFICE USE

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SPONSOR'S NAME

ADDRESS

CITY

STATE

ZIP

PHONE

1. DESCRIBE THE TOPIC(S) OR LEGISLATION ABOUT WHICH THE CAMPAIGN IS CONDUCTED. INCLUDE BILL, RULE, RATE, STANDARD NUMBER, IF ANY.

2. THIS REPORT COVERS:

REGISTRATION
(INITIAL REPORT)

MONTHLY REPORT

FROM _____ TO _____

FINAL REPORT
(CAMPAIGN IS ENDED)

3. LIST THE PRINCIPAL OFFICERS OF THE GROUP OR ORGANIZATION IF THE SPONSOR IS A BUSINESS, UNION, ASSOCIATION, POLITICAL ORGANIZATION OR OTHER ENTITY.

NAME

TITLE

ADDRESS

4. WHO IS ORGANIZING OR MANAGING THE CAMPAIGN? LIST PERSONS OR FIRMS HIRED TO ASSIST IN THE CAMPAIGN, INCLUDING PUBLIC RELATIONS AND ADVERTISING AGENTS

NAME AND ADDRESS

OCCUPATION OR BUSINESS

TERMS OF COMPENSATION

5. EXPENDITURES MADE OR INCURRED IN THE CAMPAIGN:

1. Previous expenditures (from line 4, last L-6 report)

\$ _____

2. Expenses this reporting period:

A. Radio

B. Television

C. Newspapers, magazines

D. Brochures, signs

E. Printing and mailing

F. Consultants, public relations

G. Office expense, travel, salaries

H. Contributions

I. Entertainment

J. Other expenses

3. Total expenditures this period (lines 2a-2j)

4. Total expenditures in the campaign (lines 1 + 3)

CONTINUE ON REVERSE

6. CONTRIBUTIONS:

LIST EACH PERSON OR ORGANIZATION WHO HAS CONTRIBUTED \$25 OR MORE DURING THIS REPORT PERIOD

NAME	ADDRESS, CITY, ZIP	AMOUNT

LIST TOTAL AMOUNT FROM ANY ATTACHED PAGES.....

TOTAL AMOUNT RECEIVED IN CONTRIBUTIONS LESS THAN \$25 WHERE CONTRIBUTOR'S NAME IS NOT LISTED.....

TOTAL CONTRIBUTIONS THIS PERIOD.....

CONTRIBUTIONS PREVIOUSLY REPORTED.....

TOTAL CONTRIBUTIONS DURING THE CAMPAIGN.....

CERTIFICATION: I HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE INFORMATION CONTAINED IN THIS REPORT IS TRUE AND CORRECT.

SIGNATURE

TITLE DATE

INSTRUCTIONS

WHO SHOULD FILE THIS FORM: Any sponsor, i.e., any person who has made expenditures, not reported under other sections of the Public Disclosure Act, exceeding \$1,000 within any three month period or exceeding \$500 within any one month period in presenting a program addressed to the public, a substantial portion of which is intended, designed, or calculated primarily to influence state legislation.

FILING DEADLINE: Within 30 days after becoming a sponsor. Monthly reports required on the 10th of the following month. Termination statement to be filed with final monthly report.

SEND REPORT TO: PUBLIC DISCLOSURE COMMISSION
403 Evergreen Plaza Bldg.
Olympia, WA 98504

QUESTIONS: CALL (206) 753-1111

PDC FORM L-6 (REV. 12/85) E-1078

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

AMENDATORY SECTION (Amending Order 85-04 [86-01], filed 10/31/85 [2/5/86])

WAC 390-37-063 ENFORCEMENT PROCEDURES—DEMAND FOR INFORMATION—SUBPOENAS. (1) During the course of an audit or an investigation, the executive director may issue a "demand for information" directed to any person who probably possesses information which is relevant and material to the audit or the investigation. The "demand for information" shall

- (a) Specifically describe the information which is sought, and
- (b) Set forth a reasonable time and place for the production of the information, and
- (c) Notify the person that if the information is not produced, the executive director will present a request to the commission, at its next regular or special meeting, to issue a subpoena for the information pursuant to RCW 42.17.370(5).

The "demand for information" may be personally delivered or sent by certified mail, return receipt requested.

(2) The commission may issue a subpoena under RCW 42.17.370(5) to compel persons to appear and give testimony and may require the production of any books, papers, correspondence, memorandums or other documents which the commission deems relevant and material.

(3) Whenever the commission will consider the issuance of a subpoena, the executive director will place the matter on the published agenda for that meeting and, in addition, give the respondent, if any, and the person to whom the subpoena would be directed, at least five days written notice of the time and place where the meeting will be held.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

Reviser's note: No amendments were proposed in the above section. The section is shown exactly as filed by the agency pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending Order 85-03 [86-01], filed 7/9/85 [2/5/86])

WAC 390-37-100 ENFORCEMENT PROCEDURES—CONDUCT OF HEARINGS. (1) An enforcement hearing shall be conducted pursuant to the Administrative Procedure Act (chapter ~~(34.04)~~ 34.05 RCW) and its supporting regulations (chapter 10-08 WAC).

(2) An enforcement hearing shall be heard either by the commission or, under RCW 34.12.040 or 34.12.050(2), by a duly designated administrative law judge.

(3) Upon the conclusion of an enforcement hearing heard by an administrative law judge, the judge shall prepare and present to the commission findings of fact, conclusions of law, and a proposed decision determinative of the matter. A copy of the findings of fact, conclusions of law and the proposed decision shall be served upon the executive director and the respondent. Both the respondent and the executive director shall be afforded an opportunity to file exceptions and written argument with the commission. The commission shall review the proposed decision at its next regular meeting or at a special meeting called for that purpose. The commission shall consider the whole record or such portions as shall be cited by the parties. Oral argument may be heard at the discretion of the commission.

(4) After either a hearing by the commission or review by the commission of the proposed decision of an administrative law judge the commission may find that:

- (a) Respondent did not violate the act, as alleged, and dismiss the case; or
- (b) Respondent violated chapter 42.17 RCW, as alleged, and determine the sanction, if any, to be imposed, or
- (c) Respondent is in apparent violation of chapter 42.17 RCW, its own remedy is inadequate and enter its order referring the matter to the appropriate law enforcement agency as provided in RCW 42.17.360.

(5) Upon the conclusion of a hearing, the commission

- (a) Shall set forth in writing its findings of fact, conclusions of law and decision on the merits of the case; and
- (b) Shall deliver, either in person or by mail, to each respondent and their representative a copy of the findings of fact, conclusions of law and decision.

(6) When the commission finds an apparent violation and refers the matter to an enforcement agency, the commission shall give to the respondent written notice of such finding and order of referral.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

AMENDATORY SECTION (Amending Order 85-03 [86-01], filed 7/9/85 [2/5/86])

AMENDATORY SECTION (Amending Order 85-03 [86-01], filed 7/9/85 [2/5/86])

WAC 390-37-210 HEARINGS—SUBPOENAS. (1) The commission, upon request by any party, may subpoena persons to appear and give testimony and may require the production of any books, papers, correspondence, memorandums or other records which the commission deems relevant or material.

(2) Such subpoena will issue and may be enforced in the form and manner set forth in RCW (~~(34.04.105)~~) 34.05.446 and WAC 10-08-120.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

REPEALER

WAC 390-20-022 Definition—Development

WSR 90-12-092

PROPOSED RULES

**HIGHER EDUCATION
COORDINATING BOARD**

[Filed June 4, 1990, 2:23 p.m.]

Original Notice.

Title of Rule: Adoption of rules implementing the Washington graduate fellowship trust fund program.

Purpose: This statement of purpose is written in compliance with section 23, chapter 186, Laws of 1980, and to accompany the notice of intent to adopt, amend, or to repeal rules by the Higher Education Coordinating Board.

Statutory Authority for Adoption: RCW 28B.10.883.

Statute Being Implemented: RCW 28B.10.880 - [28B.10.]887 and chapter 16, Laws of 1990 1st ex. sess.

Summary: A program to fund graduate fellowship endowments from private donations and state matching funds.

Reasons Supporting Proposal: To establish regulations for the administration of the program and the allocation of the graduate fellowship trust funds when no legislative directive is provided.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Jacquelin M. Johnson, Higher Education Coordinating Board, 917 Lakeridge Way, Olympia, 98504, 753-1145.

Name of Proponent: Higher Education Coordinating Board, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: The purpose of this chapter is to establish regulations for the administration of the graduate fellowship

program for public four-year colleges and universities. The Higher Education Coordinating Board shall apply the provisions of this chapter when determining the use of the graduate fellowship trust funds.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Higher Education Coordinating Board, 3rd Floor Conference Room, 917 Lakeridge Way, Olympia, WA 98504, on July 10, 1990, at 10:30 a.m.

Submit Written Comments to: Jacquelin M. Johnson, by July 3, 1990.

Date of Intended Adoption: July 18, 1990.

June 4, 1990

Ann Daley

Executive Director

CHAPTER 250-73 WAC
GRADUATE FELLOWSHIP PROGRAM

WAC

- 250-73-010 Purpose and applicability.
250-73-015 Definitions.
250-73-020 Allocation system.
250-73-025 Allocation system effective July 1, 1991.
250-73-030 Allocation of earnings from investments.
250-73-030 Designation of trust funds.
250-73-040 Reallocation of previously designated funds.

NEW SECTION

WAC 250-73-010 PURPOSE AND APPLICABILITY. The purpose of this chapter is to establish regulations for the administration of the graduate fellowship program for public four-year colleges and universities.

NEW SECTION

WAC 250-73-015 DEFINITIONS. (1) "Board" means the Higher Education Coordinating Board.

(2) "Institution" means a public four-year college or university within the state of Washington.

(3) "Graduate fellowship program" means the program established by the legislature as provided by RCW 28B.10.880 through 28B.10.887.

(4) "Trust fund" means the graduate fellowship trust fund established by the legislature as provided by RCW 28B.10.882.

(5) "Private donation" means funds made specifically to the graduate fellowship program from non-public fund sources.

(6) "Pledge" means an agreement between an institution and a private donor(s) establishing terms for a private donation to be made within a period of time as provided by RCW 28B.10.884.

(7) "Allocate" means to assign a share of the available fellowships to specific institutions until a date certain.

(8) "Designate" means to set aside or reserve trust funds as a potential match to a pledged private donation upon notification to the board.

(9) "Release funds" means the transfer of trust funds to an institution after notification to the board that the full amount of a pledged private donation has been received.

NEW SECTION

WAC 250-73-020 ALLOCATION SYSTEM. (1) Until July 1, 1991, the board shall allocate trust funds consistent with the allocation system as provided in Chapter 16, Laws of 1990 1st ex. sess.

(2) The board shall allocate available trust funds according to WAC 250-73-025 when no legislative directive provides for the allocation of available trust funds.

(3) The six fellowships allocated under chapter 16, Laws of 1990 1st ex. sess. to be divided equally among Central Washington University,

Eastern Washington University, Western Washington University and The Evergreen State College shall be allocated as follows:

(a) One fellowship will be reserved for each of the four institutions until June 30, 1991.

(b) Two fellowships will be made available on a first come, first served basis to any of the four institutions that has fully funded the reserved fellowship allocated to it. No institution shall be eligible for more than one of the fellowships allocated in this subsection.

(c) First come, first served shall be determined by the date and time of receipt of notification of a pledge at the office of the board. The board shall accept receipt of written notification no sooner than 8:00 a.m. on August 24, 1990. If the board receives written notification from more than two institutions at 8 a.m. on August 24, 1990, then the designation shall be made by drawing. The board shall notify the affected institutions of the date and time of the drawing which shall be conducted openly at the office of the board.

(4) After June 30, 1991, any funds allocated under chapter 16, Laws of 1990 1st ex. sess., that have not been designated shall be available for the board to allocate under WAC 250-73-025 unless otherwise directed by the legislature.

NEW SECTION

WAC 250-73-025 ALLOCATION SYSTEM EFFECTIVE JULY 1, 1991. The board shall notify all institutions by July 1, 1991, of the availability of matching funds under WAC 250-73-020, 250-73-030, and 250-73-040 and of the total number of fellowships available. The board shall allocate the available fellowships as follows:

(1) University of Washington - The first, fourth, and sixth available fellowships.

(2) Washington State University - The second and fifth available fellowships.

(3) Central Washington University, Eastern Washington University, The Evergreen State College, and Western Washington University - The third available fellowship.

(a) Fellowships available under this section shall be designated on a first come first served basis to any of the four institutions that has fully funded the designated fellowships already allocated.

(b) First come, first served shall be determined by the date and time of receipt of written notification of a pledge at the office of the board. The board shall accept receipt of written notification no sooner than 8:00 a.m. on July 1, 1991. If the board receives written notification from more than one institution on the same date and time, then the designation shall be made by drawing. The board shall notify the affected institutions of the date and time of the drawing which shall be conducted openly at the office of the board.

(4) At the beginning of each fiscal year, the board shall reallocate available matching funds continuing the numerical sequence initiated July 1, 1991.

(5) An institution shall not be eligible for funds from reallocation if it has forfeited allocated or designated funds in the preceding fiscal year.

NEW SECTION

WAC 250-73-030 ALLOCATION OF EARNINGS FROM INVESTMENTS. All earnings from investments of the trust fund are credited to the fund. The board shall make such earnings available for allocation according to the following:

(1) Earnings from investments shall be made available in increments of \$25,000 as matching funds for full fellowships.

(2) Earnings from investments shall be allocated by July 1 of each year under WAC 250-73-025.

NEW SECTION

WAC 250-73-035 DESIGNATION OF TRUST FUNDS. (1) An institution shall make written notification of a pledge to the board which shall include a copy of the agreement entered into with the private donor(s) concerning the terms of the donation.

(2) The board may designate twenty-five thousand dollars from available trust funds for an institution's pledged fellowship when the institution provides notification according to subsection (1) that a private donation of twenty-five thousand dollars has been pledged for a graduate fellowship.

(3) The board shall designate trust funds consistent with the allocation system as provided in WAC 250-73-025.

(4) If a pledged private donation is not received within two years from the date of designation, the board shall make the designated funds available for another pledged fellowship.

NEW SECTION

WAC 250-73-040 REALLOCATION OF PREVIOUSLY DESIGNATED FUNDS. (1) The board shall reallocate previously designated funds when:

(a) An institution has not received a full private donation for designated matching trust funds within the required period of time under WAC 250-73-035.

(2) The board shall reallocate any previously designated matching trust fund available under this section by July 1 of each year.

NEW SECTION

WAC 250-73-045 RELEASE OF FUNDS. Upon written notification that the full amount of a pledged private donation has been received, the board shall request a warrant for the release of matching trust funds within five working days.

**WSR 90-12-093
PROPOSED RULES
HIGHER EDUCATION
COORDINATING BOARD
[Filed June 4, 1990, 2:25 p.m.]**

Original Notice.

Title of Rule: Adoption of rules implementing the Washington distinguished professorship trust fund program.

Purpose: This statement of purpose is written in compliance with section 23, chapter 186, Laws of 1980, and to accompany the notice of intent to adopt, amend, or to repeal rules by the Higher Education Coordinating Board.

Statutory Authority for Adoption: RCW 28B.10.869.

Statute Being Implemented: RCW 28B.10.859 - [28B.10.]878 and chapter 16, Laws of 1990 1st ex. sess.

Summary: A program to fund distinguished professorship endowments from private donations and state matching funds.

Reasons Supporting Proposal: To establish regulations for the administration of the program and the allocation of the distinguished professorship trust funds when no legislative directive is provided.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Jacquelin M. Johnson, Higher Education Coordinating Board, 917 Lakeridge Way, Olympia, 98504, 753-1145.

Name of Proponent: Higher Education Coordinating Board, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: The purpose of this chapter is to establish regulations for the administration of the distinguished professorship program for public four-year colleges and universities. The Higher Education Coordinating Board shall apply the provisions of this chapter when determining the use of the distinguished professorship trust funds.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Higher Education Coordinating Board, 3rd Floor Conference Room, 917 Lakeridge Way, Olympia, WA 98504, on July 10, 1990, at 10:00 a.m.

Submit Written Comments to: Jacquelin M. Johnson, by July 3, 1990.

Date of Intended Adoption: July 18, 1990.

June 4, 1990
Ann Daley
Executive Director

**CHAPTER 250-72 WAC
DISTINGUISHED PROFESSORSHIP PROGRAM**

WAC

- 250-72-010 Purpose and applicability.
- 250-72-015 Definitions.
- 250-72-020 Allocation system.
- 250-72-025 Allocation system effective July 1, 1991.
- 250-72-030 Allocation of earnings from investments.
- 250-72-035 Designation of trust funds.
- 250-72-040 Reallocation of previously designated funds.

NEW SECTION

WAC 250-72-010 PURPOSE AND APPLICABILITY. The purpose of this chapter is to establish regulations for the administration of the distinguished professorship program for public four-year colleges and universities. The Higher Education Coordinating board shall apply the provisions of this chapter when determining the use of the distinguished professor trust funds.

NEW SECTION

WAC 250-72-015 DEFINITIONS. (1) "Board" means the Higher Education Coordinating Board.

(2) "Institution" means a public four-year college or university within the state of Washington.

(3) "Distinguished professorship program" means the program established by the legislature as provided by RCW 28B.10.866 through 28B.10.872.

(4) "Trust fund" means the distinguished professorship trust fund established by the legislature as provided by RCW 28B.10.868.

(5) "Private donation" means funds made specifically to the distinguished professorship program from non-public fund sources, including assessments by commodity commissions authorized to conduct research activities including but not limited to research studies authorized by RCW 15.66.030 and 15.65.040.

(6) "Pledge" means an agreement between an institution and a private donor(s) establishing terms for a private donation to be made within a period of time as provided by RCW 28B.10.870.

(7) "Allocate" means to assign a share of the available professorships to specific institutions until a date certain.

(8) "Designate" means to set aside or reserve trust funds as a potential match to a pledged private donation upon notification to the board.

(9) "Release funds" means the transfer of trust funds to an institution after notification to the board that the full amount of a pledged private donation has been received.

NEW SECTION

WAC 250-72-020 ALLOCATION SYSTEM. (1) Until July 1, 1991, the board shall allocate trust funds consistent with allocation systems as provided in RCW 28B.15.866 and chapter 16, Laws of 1990 1st ex. sess.

(2) The board shall allocate available trust funds according to WAC 250-72-025 when no legislative directive provides for the allocation of available trust funds.

(3) An institution is not eligible for any funds under chapter 16, Laws of 1990 1st ex. sess., until the institution has provided notification requesting designation of the funds allocated to it under RCW 28B.15.866.

(4) After June 30, 1991, any funds allocated under chapter 16, Laws of 1990 1st ex. sess., that have not been designated shall be available for the board to allocate under WAC 250-72-025 unless otherwise directed by the legislature.

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

NEW SECTION

WAC 250-72-025 ALLOCATION SYSTEM EFFECTIVE JULY 1, 1991. The board shall notify all institutions by July 1, 1991, of the availability of matching funds under WAC 250-72-020, 250-72-030, and 250-72-040 and of the total number of professorships available. The board shall allocate the available professorships as follows:

(1) University of Washington - The first, fourth, and sixth available professorships.

(2) Washington State University - The second and fifth available professorships.

(3) Central Washington University, Eastern Washington University, The Evergreen State College, and Western Washington University - The third available professorship.

(a) Professorships available under this section shall be designated on a first come, first served basis to any of the four institutions that has requested designation of the professorships already allocated.

(b) First come, first served shall be determined by the date and time of receipt of written notification of a pledge at the office of the board. The board shall accept receipt of written notification no sooner than 8:00 a.m. on July 1, 1991, or the first working day thereafter. If the board receives written notification from more than one institution on the same date and time, then the designation shall be made by drawing. The board shall notify the affected institutions of the date and time of the drawing which shall be conducted openly at the office of the board.

(4) At the beginning of each fiscal year, the board shall reallocate available matching funds continuing the numerical sequence initiated July 1, 1991.

(5) An institution shall not be eligible for funds from reallocation if it has forfeited allocated or designated funds in the preceding fiscal year.

NEW SECTION

WAC 250-72-030 ALLOCATION OF EARNINGS FROM INVESTMENTS. All earnings from investments of the trust fund are credited to the fund. The board shall make such earnings available for allocation according to the following:

(1) Earnings from investments shall be made available in increments of \$250,000 as matching funds for full professorships.

(2) Earnings from investments shall be allocated by July 1 of each year under WAC 250-72-025.

NEW SECTION

WAC 250-72-035 DESIGNATION OF TRUST FUNDS. (1) An institution shall make written notification of a pledge to the board which shall include a copy of the agreement entered into with the private donor(s) concerning the terms of the donation.

(2) The board may designate two hundred fifty thousand dollars from available trust funds for an institution's pledged professorship when the institution provides notification according to subsection (1) that a private donation of two hundred fifty thousand dollars has been pledged for a distinguished professorship.

(3) The board shall designate trust funds consistent with the allocation system as provided in WAC 250-72-025.

(4) If a pledged private donation is not received within three years from the date of designation, the board shall make the designated funds available for another pledged professorship.

NEW SECTION

WAC 250-72-040 REALLOCATION OF PREVIOUSLY DESIGNATED FUNDS. (1) The board shall reallocate previously designated funds when:

(a) An institution has not received a full private donation for designated matching trust funds within the required period of time under WAC 250-72-035.

(2) The board shall reallocate any previously designated matching trust fund available under this section by July 1 of each year.

NEW SECTION

WAC 250-72-045 RELEASE OF FUNDS. Upon written notification that the full amount of a pledged private donation has been received, the board shall request a warrant for the release of matching trust funds within five working days.

WSR 90-12-094

PROPOSED RULES

DEPARTMENT OF ECOLOGY

[Order 90-22—Filed June 5, 1990, 10:08 a.m.]

Original Notice.

Title of Rule: Chapter 173-311 WAC, Moderate risk waste grants; and chapter 173-315 WAC, Model Toxics Control Act—Local toxics control account—Interim financial assistance program.

Purpose: To set eligibility requirements for a program of grants to local governments for moderate risk waste, chapter 173-311 WAC, and to broaden the categories of projects eligible for hazardous waste implementation grants to local governments, and to increase percentage of cost covered by grants, chapter 173-315 WAC.

Statutory Authority for Adoption: Section 19, chapter 114, Laws of 1990, chapter 70.105D RCW.

Statute Being Implemented: Section 19, chapter 114, Laws of 1990, chapter 70.105D RCW.

Summary: Chapter 173-311 WAC will set eligibility requirements to govern a program of grants to local governments for small quantity generator technical assistance and education. WAC 173-315-060 will be amended to allow increased funding and changes to the evaluation criteria for projects that are part of an approved hazardous waste management plan.

Reasons Supporting Proposal: Moderate risk waste grants are required by section 19, chapter 114, Laws of 1990, hazardous waste implementation grants can now be made less restrictive due to existence of approved local hazardous waste plans.

Name of Agency Personnel Responsible for Drafting: Mike Drumright, Lacey, Washington, 459-6297; Implementation and Enforcement: Dan Swenson, Lacey, Washington, 438-7564.

Name of Proponent: Department of Ecology, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Chapter 173-311 WAC will set forth eligibility requirements for a program of grants to local governments for small quantity generator technical assistance and compliance education components of their local hazardous waste management plans as required by RCW 70.105D.220 [70.105.220]. The funding authority for this program is contained in section 19, chapter 114, Laws of 1990; and the amendment to WAC 173-315-060 will allow increased funding for grants to local governments for projects that will implement approved local hazardous waste management plans. When this rule was

adopted in 1989, many local governments did not yet have approved plans. Funding at that time was limited to small-scale projects. By the end of 1990 most jurisdictions will be covered by approved plans and the need for a wider variety of grant-funded projects will exist, as well as the need for increased funding.

Proposal Changes the Following Existing Rules: WAC 173-315-060 will be changed to delete the \$50,000 cap on project funding, to increase the percentage of total costs covered up to 75 percent, to broaden the category of projects eligible for those grants, to change ranking criteria into evaluation criteria that will require all eligible projects to be part of the department approved local moderate risk waste plan, and to state the factors the department will consider in determining grant allocations.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

DETERMINATION OF NO SIGNIFICANT IMPACT

Chapter 173-311 WAC, Moderate risk waste grants: The purpose of this rule is to allow the Department of Ecology to distribute grants to local governments for implementation of the local hazardous waste plans. These plans pertain only to moderate risk waste, hazardous waste generated by households or in such small quantities that it does not come under most of the state's hazardous waste regulations. Grants will be distributed to local jurisdictions. Grants will be distributed to local jurisdictions. Grants will have at least 25 percent local match and can be used for hazardous waste technical assistance and business education.

The Regulatory Fairness Act, chapter 19.85 RCW, requires that rules which have an impact on more than 20 percent of all industry or 10 percent of the businesses in any one industry be reviewed and altered to minimize their impact on small businesses. Small businesses are defined as businesses which have less than 50 employees.

The rule proposed has been reviewed. This rule will provide funding for local government programs. Only programs which provide technical assistance and education of businesses will be funded. It is not expected that such programs could have a negative impact on any business entity. It may have a beneficial impact for some businesses. The overall impact of the rule is either positive or negligible.

Chapter 173-315 WAC, Model Toxics Control Act—Local toxics control account—Interim financial assistance program: The purpose of amending chapter 173-315 WAC is to allow the Department of Ecology to increase the amount of grants for implementation of the local hazardous waste plans. These plans pertain only to moderate risk waste, hazardous waste generated by household or in such small quantities that it does not come under most of the state's hazardous waste regulations. Grants will be distributed to local jurisdictions. Grants will have at least 25 percent local match and can be used for any implementation activities contained in an approved local hazardous waste plan.

The Regulatory Fairness Act, chapter 19.85 RCW, requires that rules which have an impact on more than 20 percent of all industry or 10 percent of the businesses

in any one industry be reviewed and altered to minimize their impact on small businesses. Small businesses are defined as businesses which have less than 50 employees.

The amendment proposed has been reviewed. This amendment will increase the funding provided for local government programs of information and education, technical assistance, collection and disposal, compliance and enforcement, and plan evaluation. These activities will assist local governments in meeting the provisions of chapters 70.105 and 70.105D RCW. It is not expected that such programs, with the exception of compliance and enforcement, could have a negative impact on any business entity. They may have beneficial impacts for some businesses. The potential negative impact of compliance and enforcement activities on small businesses is not a function of the grant funding available to local jurisdictions, but of the regulations governing hazardous waste management and a business's compliance with the applicable hazardous waste regulations. In addition, it is anticipated that these grant funds will be used primarily for information and education, technical assistance and collection and disposal activities. The overall impact of the rule change is either positive or negligible.

Hearing Location: Conference Room 1B, Krueger Building, 4502 Woodview Place S.E., Lacey, WA, on July 12, 1990, at 7:00 p.m.

Submit Written Comments to: Waste Management Grants Section, Department of Ecology, Mailstop PV-11, Olympia, Washington 98504-8711, by July 20, 1990.

Date of Intended Adoption: September 4, 1990.

May 31, 1990

Fred Olson

Deputy Director

CHAPTER 173-311 WAC MODERATE RISK WASTE GRANTS

WAC

173-311-010	Purpose and authority.
173-311-020	Definitions.
173-311-030	Relation to other legislation and administrative rules.
173-311-040	General.
173-311-050	Moderate risk waste grants.

NEW SECTION

WAC 173-311-010 PURPOSE AND AUTHORITY. The purpose of this chapter is to set forth eligibility criteria and requirements for the conduct of a financial assistance program to provide grants to local governments pursuant to section 19, chapter 114, Laws of 1990 (Engrossed Substitute House Bill No. 2390). The department shall provide grants to local governments for small quantity generator technical assistance and compliance education components of their local hazardous waste plans as required by RCW 70.105.220.

NOTE: Copies of all cited RCWs, WACs and guidelines are available at the Department of Ecology, Mail Stop: PV-11, Olympia, Washington, 98504.

NEW SECTION

WAC 173-311-020 DEFINITIONS. (1) "Department" means the Washington state department of ecology.

(2) "Local government" means any political subdivision regional governmental unit, district, municipal or public corporation, including cities, towns, and counties. The term encompasses but does not refer specifically to the departments within a city, town, or county.

(3) "Moderate risk waste" means:

- (a) Any waste that exhibits any of the properties of hazardous waste but is exempt from regulation under chapter 70.105 RCW solely because the waste is generated in quantities below the threshold for regulation; and
- (b) Any household wastes which are generated from the disposal of substances identified by the department as hazardous household substances.

NEW SECTION

WAC 173-311-030 RELATION TO OTHER LEGISLATION AND ADMINISTRATIVE RULES. (1) Nothing in this chapter shall influence, affect, or modify department programs, regulations, or enforcement of applicable laws relating to hazardous and solid waste management and disposal.

(2) All grants shall be subject to existing accounting and auditing requirements of state laws and regulations applicable to the issuance of grant funds.

(3) The obligation of the department to make grant payments is contingent upon the availability of funds through allotment or appropriation, and such other conditions not reasonably foreseeable by the department rendering performance impossible. When the grant crosses over bienniums, the obligation of the department is contingent upon the allotment of funds during the next biennium.

NEW SECTION

WAC 173-311-040 GENERAL. (1) The department shall consider the following factors in calculating grant allocations:

- (a) Revenue collections;
- (b) The number of businesses that are subject to the fee imposed in Section 12 of ESHB 2390.
- (c) The needs of local governments to carry out the small quantity generator technical assistance and compliance education components of their local hazardous waste plans as required by RCW 70.105.220.

(2) No costs incurred prior to the effective date of the grant are eligible unless specific provision is made in the grant agreement for such costs.

(3) The department shall develop guidelines to assist in interpreting the provisions of this chapter.

NEW SECTION

WAC 173-311-050 MODERATE RISK WASTE GRANTS. (1) An applicant must be a local government.

(2) Grant awards will be subject to the completeness of the application and the technical adequacy of the project.

(3) Eligible projects must be part of a department approved local hazardous waste plan as required by RCW 70.105.220.

(4) Eligible project costs include those necessary for a local government to provide a small quantity generator technical assistance and compliance education program as defined in a department-approved local hazardous waste plan.

(5) Grants will be made for up to seventy-five percent of the total eligible project costs.

AMENDATORY SECTION (Amending Order 89-11, filed 8/17/89, effective 9/17/89)

WAC 173-315-060 HAZARDOUS WASTE PLANNING AND PROGRAM GRANTS. (1) Applicant eligibility.

(a) Hazardous waste planning. Eligible local governments under this section are cities, towns, or counties pursuant to RCW 70.105.010(16).

(b) Implementation projects. The applicant must be a local government.

(c) Collection events. The applicant must be a local government.

(2) Eligible project costs.

(a)(i) Hazardous waste planning.

Eligible project costs include activities and tasks to develop or update local hazardous waste management plans, if they are consistent with the department's Planning Guidelines for Local Hazardous Waste Plans, July 1987, WDOE 87-18.

In-depth planning studies to provide detailed analysis of specific plan elements may be undertaken as a part of an overall planning grant, or separately if it can be demonstrated that the planning requirements are otherwise being met.

(ii) Retroactive funding. Funding retroactive to October 16, 1987, will be allowed for costs incurred which are directly related to the preparation of local hazardous waste plans and are in conformance

with Planning Guidelines for Local Hazardous Waste Plans, July 1987, WDOE 87-18 and subsequent addenda.

(b) Collection events. Eligible project costs include activities and tasks required to plan and carry out hazardous waste collection events for household and/or small quantity generator hazardous waste.

(c) Implementation projects. ~~(Eligible project costs include activities and tasks to (i) reduce, recycle, or improve handling methods for moderate-risk waste, or (ii) educate the public and businesses on alternative moderate-risk waste reduction, recycling, and handling methods.)~~ Eligible moderate risk waste implementation project costs include activities, tasks, or facilities for information and education, technical assistance, collection and disposal, compliance and enforcement, and plan evaluation.

(3) Matching requirements.

(a) Hazardous waste planning. Grants will be made for up to seventy-five percent of the total eligible project cost, however, based on prior department approval, direct local costs of hazardous household substance pilot or collection projects conducted between June 30, 1985, and June 30, 1988, may be subtracted from the twenty-five percent local share of total project costs, therefore the department may make grants up to one hundred percent of the total project cost in these cases.

(b) Collection events. Grants will be made for up to fifty percent of the total eligible project cost, or fifteen thousand dollars per grant or local government, whichever is the lesser amount.

(c) Implementation projects. Grants will be made for up to ~~(fifty)~~ seventy-five percent of the total eligible project cost ~~(, or fifty thousand dollars per project, whichever is the lesser amount)~~.

(4) Priority for allocation of grant funds.

(a) Hazardous waste planning. It is the department's intent that grants be awarded for all local hazardous waste plan development state-wide. The grants will be awarded on a first-come first-served basis, subject to availability of funds, technical adequacy, and application completeness.

(b) Collection events. The grants will be awarded on a first-come first-served basis, subject to availability of funds, technical adequacy, and application completeness.

(c) Implementation projects.

(i) Grant applications will be ~~(ranked)~~ evaluated according to the following criteria:

~~((i) Adequacy of and integration with local hazardous waste plans. The local government must be in the process of developing or have completed a local hazardous waste plan. The project must be identified as a part of the local hazardous waste plan.~~

~~(ii) Promotion of hazardous waste management priorities. A project must address one or more of the following: Hazardous waste reduction; recycling, or the methods of handling.~~

~~(iii) Environmental and public health protection. Special consideration will be given to local governments which have a special need to protect a sensitive resource or existing public health problem.~~

~~(iv) Generation of information. The project must result in information useful to the solution of moderate-risk waste problems.)~~ (A) All eligible projects must be part of a department-approved local hazardous risk waste plan as required by RCW 70.105.220.

(B) Grant awards will be subject to the completeness of the application and the technical adequacy of the project.

(ii) The department shall consider the following factors in setting funding priorities and calculating grant allocations:

(A) Population in the county;

(B) Amount of funding available; and

(C) Local government needs to carry out the recommended programs of their local hazardous waste plans as required by RCW 70.105.220.

The department will develop guidelines to assist in interpreting the provisions of this section relating to implementation projects.

WSR 90-12-095

EMERGENCY RULES

INSURANCE COMMISSIONER

[Order R 90-6—Filed June 5, 1990, 11:47 a.m.]

Date of Adoption: June 5, 1990.

Purpose: The purpose of this rule is to assure the orderly development, filing, review, and approval of policies and rates for small business group health care policies as authorized by chapter 187, Laws of 1990; to provide necessary definitions for several key terms used but not defined in that statute; to establish the needed standards for the reasonableness of rates in relation to benefits for such policies; to provide for the methodology of rating such policies; to specify the experience records required to be kept for such policies; and to set out the information which must be maintained and reported by the carriers to permit the insurance commissioner to satisfy the legislative mandate for a report on such coverage.

Statutory Authority for Adoption: RCW 48.02.060 (3)(a), chapter 187, Laws of 1990, RCW 48.18.110(2), 48.44.020 (2)(d), 48.44.050, 48.46.060 (3)(d) and 48.46.200.

Pursuant to RCW 34.05.350 the agency for good cause finds that state or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this Finding: Chapter 187, Laws of 1990, SB 6834, concerns health care policies sold to employers of small groups, i.e., those with less than 25 employees, by commercial insurers, health care service contractors, and health maintenance organizations. The law exempts such policies from more than a dozen sections of the relevant statutes – generally, mandated coverage or mandated offer provisions, or provisions requiring reimbursement for the services of particular types of providers. Chapter 187 does not contain an emergency clause, so its effective date is June 7, 1990. However, the measure was not signed by the governor until March 26, 1990. Accordingly, there simply was not sufficient time to develop and adopt a permanent rule with an effective date of June 7, 1990. However, chapter 187 does require a rule, for several reasons. First, the law does not define several key terms used in it. Second, the law does not exempt small group contracts from other relevant provisions of Title 48 RCW, some of which provisions require a rule to be properly applied to such contracts. Third, the law provides for a "prior approval" system for all contract and rate filings made pursuant to it; that is, such filings must be affirmatively approved by the insurance commissioner before they can be used. In order to review such filings on a consistent and legally defensible basis, a rule was needed to define the key terms and establish standards in relation to other sections of Title 48 RCW which still apply to such contracts. The commissioner determined that it is extremely important for policies filed under this law to be available for sale as soon as possible after June 7, 1990, on several bases. First, there is the legislative finding in section 1 of the measure. Second, there is the extraordinary nature of the law itself, which indicates that the legislature believed the need for the law was critical. Third, there are the documents received from individual members of the legislature, the industry, and the public, to the effect that the price of health care coverage for small employer groups is causing a serious problem. An emergency rule

is the only way to make sure that policy forms filed under the new law will be available as soon after June 7, 1990, as possible. The commissioner's office actively involved the insurance industry in the development of the rule. There were three meetings with representatives of the industry and of small group employers to discuss the rule, as well as many informal conversations with individuals. Various drafts of the proposed rule were circulated for purposes of comment.

Effective Date of Rule: June 7, 1990.

June 5, 1990
Dick Marquardt
Insurance Commissioner
By: Edward H. Southon
Deputy Insurance Commissioner

Chapter 284-49 WAC
WASHINGTON BASIC COVERAGE POLICY
(SMALL GROUP)
INSURANCE REGULATION

WAC

284-49-010	Scope.
284-49-020	Maintenance, existing policies.
284-49-050	Definitions.
284-49-100	Forms, prior approval.
284-49-115	General contents, form and rate filings.
284-49-300	Minimum policy requirements.
284-49-330	Minimum coverage.
284-49-500	Standards for loss ratios.
284-49-510	Filing requirements.
284-49-520	Experience records.
284-49-900	Collection of data and reporting.
284-49-999	Separability.

NEW SECTION

WAC 284-49-010 SCOPE. The regulations contained in this Chapter 284-49 WAC shall apply to all policies or contracts issued to groups of fewer than twenty-five employees by disability insurers, health care service contractors and health maintenance organizations, pursuant to the authority of Chapter 187, Laws of 1990, and such policies or contracts shall be referred to as "basic coverage policies." All other policies or contracts issued by disability insurers, health care service contractors, and health maintenance organizations shall conform to all other provisions of the Insurance Code and regulations issued thereunder applying to the type of policy or contract being issued.

NEW SECTION

WAC 284-49-020 SUPPLANTING OR SUPERSEDING OF EXISTING POLICIES. Carriers shall not issue a basic coverage policy under the authority of Chapter 187, Laws of 1990, to replace group coverage subject to mandated benefits existing on June 7, 1990, until the next anniversary date of the issuance of the group coverage agreement, unless such coverage is terminated for reasons unrelated to availability of a basic coverage policy regulated by this chapter. If two or more

plans are offered by the group at June 7, 1990, the renewal or anniversary date for the group policy covering the largest number of employees in the group, shall determine the next anniversary date of the group coverage agreement.

NEW SECTION

WAC 284-49-050 **DEFINITIONS.** Unless otherwise specifically excepted, the definitions contained in this regulation shall apply throughout this chapter and to all policies within the scope of this chapter.

(1) "Carrier" is a disability insurer, health care service contractor or health maintenance organization authorized to do business in this state which has chosen to issue coverages within the scope of Chapter 187, Laws of 1990, and this chapter.

(2) "Policy," "contract," and "agreement" shall be interchangeable and shall be the contractual document between a carrier and a group which creates a liability of the carrier for the provision of or indemnity for health care services within the scope of this chapter.

(3) "Group" shall mean a group composed of eligible employees of a single employer, and their dependents. Such employees shall be not more numerous than twenty-four in number. Employees shall include all persons scheduled to work for an employer twenty or more hours per week and for at least thirteen weeks per year. For the purposes of determining an employer's eligibility for a basic coverage policy under the authority of Chapter 187, Laws of 1990, and this chapter, employees may not be segregated by division, job responsibilities, employment status, employment location, or any other rationale. For purposes of this chapter, group size will be determined at the time of application for a basic coverage policy, and on each anniversary of the date of issue of the basic coverage policy. Carriers shall confirm the size of groups by certification of the employer, which certification shall be maintained in the carrier's files.

(4) "Basic coverage," as authorized by Chapter 187, Laws of 1990, and this chapter, means basic services rendered by health professionals licensed pursuant to Chapters 18.57 and 18.71 RCW, together with hospital expenses.

(5) "Subscriber" shall mean an enrolled eligible employee with coverage under a basic coverage policy.

(6) "Eligible dependent" shall mean an enrolled dependent of a subscriber entitled to coverage under a basic coverage policy or certificate.

NEW SECTION

WAC 284-49-100 **FORMS—PRIOR APPROVAL.** No contract, endorsement, amendment, rider, certificate or other form used in connection with policies within the scope of this chapter shall be issued, delivered or used, by any carrier, unless it has been filed with the commissioner by the carrier and approved by the commissioner prior to any use of such forms in this state.

NEW SECTION

WAC 284-49-115 **GENERAL CONTENTS OF FORM AND RATE FILINGS.** Each form filing submitted to the commissioner for approval shall contain a transmittal page as prescribed by the commissioner and the following materials arranged in this order:

(1) The printed form or forms, completed in John Doe fashion;

(2) Rates, manuals of classification, manuals of rules and premiums, and modifications thereof;

(3) Actuarial memorandum, which contains, at a minimum, the information set forth in WAC 284-49-510, and,

(4) Any additional required enclosure.

NEW SECTION

WAC 284-49-300 **MINIMUM POLICY REQUIREMENTS.** Except as specifically exempted or modified by Chapter 187, Laws of 1990, or this chapter, basic coverage policies shall comply in all respects with Chapters 48.21, 48.44 and 48.46 RCW, other applicable provisions of the Insurance Code, and all applicable regulations issued thereunder.

NEW SECTION

WAC 284-49-330 **MINIMUM COVERAGE.** Every basic coverage policy issued pursuant to Chapter 187, Laws of 1990, and this chapter will, as a minimum, provide at least "basic coverage." Every such policy may provide additional benefits, at the discretion of the carrier, but associated forms are subject to approval prior to use in accord with WAC 284-49-100.

NEW SECTION

WAC 284-49-500 **STANDARDS FOR LOSS RATIOS.** (1) Basic coverage policies issued by authority of Chapter 187, Laws of 1990, shall return a cumulative loss ratio of at least seventy percent (70%). Such loss ratio shall be on the basis of incurred claims and earned premiums for all calculating or rating periods such that the cumulative loss ratio from inception equals or exceeds the 70% minimum loss ration. Where coverage is provided on a direct service rather than indemnity basis, such loss ratio shall be on the basis of incurred health care expenses and earned premiums for such period. For purposes of achieving and maintaining the minimum cumulative loss ratio, the experience of all basic coverage policies of a carrier shall be combined.

(2) All claim experience for basic coverage policies shall be pooled for the purposes of establishing premiums and rates; i.e., the claim experience of a given individual group shall not be a factor in determining its rates.

NEW SECTION

WAC 284-49-510 **FILING REQUIREMENTS.** All basic coverage policy forms, riders, and rates filed for initial use on or after June 7, 1990, and any future rate adjustment thereto, shall demonstrate compliance with the loss ratio requirements of WAC 284-49-500.

All filings of forms shall be accompanied by the proposed schedule of rates and an actuarial memorandum completed and signed by a qualified actuary as defined in WAC 284-05-060.

NEW SECTION

WAC 284-49-520 EXPERIENCE RECORDS. Carriers shall maintain records of earned premiums and incurred claims, for each basic coverage policy, rider, endorsement and similar forms.

NEW SECTION

WAC 284-49-900 COLLECTION OF DATA AND REPORTING. (1) Each carrier of basic coverage policies shall collect and maintain the following data, by county, in relation to the basic coverage policies it issues. Such data will be kept for each basic coverage policy and every variant of such policy.

(a) Number of groups purchasing policy (include as a separate policy each and every variant of the basic coverage policy).

(b) For each employer purchasing a basic coverage policy, the number of employees electing not to be covered under the group policy.

(c) Number of employees covered under each basic coverage policy.

(d) Number of dependents covered under each basic coverage policy.

(e) Initial premium for the basic coverage policy.

(f) Each requested premium increase or decrease by date of request, amount of increase or decrease, and date of the commissioner's approval.

(g) For each variant of the basic coverage policy, a description of the endorsements or variations from the basic coverage policy.

(h) Number of groups, employees, and employee dependents covered under a basic coverage policy who previously had no insurance coverage.

(i) Number of groups, employees, and employee dependents covered under a basic coverage policy who previously had insurance coverage.

(j) Total premium charged and collected on basic coverage policies, by month.

(k) Total claims reported and paid, by month.

(2) Each carrier, shall on or before the first day of February and August of each year, beginning on February 1, 1991, report to the commissioner, in summary form, the information collected pursuant to section (1) above for the six month period immediately preceding the reporting date. Reports filed in February of each year shall cover the preceding July through December. Reports filed in August of each year shall cover the preceding January through June. Each carrier shall maintain the detail used to support such summary reports until the completion of the next financial and market conduct examination of the carrier by the commissioner's staff.

NEW SECTION

WAC 284-49-999 SEPARABILITY. If any provision of this regulation or the application thereof to any

person or circumstance is for any reason held to be invalid, the remainder of the regulation and the application of such provision to other persons or circumstances shall not be affected thereby.

WSR 90-12-096
PROPOSED RULES
DEPARTMENT OF HEALTH
[Filed June 5, 1990, 2:56 p.m.]

Original Notice.

Title of Rule: WAC 248-19-601 Kidney transplantation; 248-19-700 Ambulatory surgery; and 248-19-701 Kidney disease treatment centers.

Purpose: Places in rule certain certificate of need decision criteria now in the state health plan, which sunsets June 30, 1990. Placement in rule is consistent with RCW 70.38.919.

Statutory Authority for Adoption: RCW 70.38.919.

Statute Being Implemented: RCW 70.38.115.

Summary: Sets standards for kidney transplantation center; sets standards for ambulatory surgical facilities; and sets standards for kidney disease treatment centers.

Name of Agency Personnel Responsible for Drafting: Charles Pugh, 1300 Quince Street, Olympia, 753-5816; Implementation and Enforcement: Kristina Sparks, Program Manager, 1300 Quince Street, Olympia, 753-5857.

Name of Proponent: Department of Health, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 248-19-601 defines kidney transplantation as a tertiary service as listed in WAC 248-19-231. It sets the standards for approval as a kidney transplantation center; WAC 248-19-700 defines secondary health services planning areas and sets standards for determining operating room need; and WAC 248-19-701 defines end stage renal disease planning areas as the same as designated health service areas. Sets the formula for determining the maximum number of dialysis stations needed in the planning areas.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: General Administration Building, 11th and Columbia, Olympia, Washington, on July 10, 1990, at 10:30 a.m.

Submit Written Comments to: Leslie Baldwin, 1300 Quince Street, Olympia, WA 98504, by July 9, 1990.

Date of Intended Adoption: July 17, 1990.

June 4, 1990
Pam Campbell Mead
for Kristine M. Gebbie
Secretary

NEW SECTION

WAC 248-19-601 KIDNEY TRANSPLANTATION. (1) Kidney transplantation is a tertiary service as listed in WAC 248-19-231.

(2) To receive approval a kidney transplant center must meet the following standards in addition to applicable review criteria in WAC 248-19-370, 248-19-380, 248-19-390, and 248-19-400.

(a) A center shall perform at least fifteen transplants annually by the fourth year of operation.

(b) A center shall document that it will meet the requirements of membership to the United Network for Organ Sharing (UNOS) or its successor organization.

NEW SECTION

WAC 248-19-700 AMBULATORY SURGERY. (1) To receive approval, an ambulatory surgical facility must meet the following standards in addition to applicable review criteria in WAC 248-19-370, 248-19-380, 248-19-390, and 248-19-400.

(2) The area to be used to plan for operating rooms and ambulatory surgical facilities is the secondary health services planning area.

(3) Secondary health services planning areas are: San Juan, Whatcom, East Skagit, Whidbey-Fidalgo, Western North Olympic, East Clallam, East Jefferson, North Snohomish, Central Snohomish, East Snohomish, Southwest Snohomish, Kitsap, North King, East King, Central King, Southwest King, Southeast King, Central Pierce, West Pierce, East Pierce, Mason, West Grays Harbor, Southeast Grays Harbor, Thurston, North Pacific, South Pacific, West Lewis, East Lewis, Cowlitz-Wahkiakum-Skamania, Clark, West Klickitat, East Klickitat, Okanogan, Chelan-Douglas, Grant, Kittitas, Yakima, Benton-Franklin, Ferry, North Stevens, North Pend Oreille, South Stevens, South Pend Oreille, Southwest Lincoln, Central Lincoln, Spokane, Southwest Adams, Central Adams, Central Whitman, East Whitman, Walla Walla, Columbia, Garfield, and Asotin.

(4) Outpatient operating rooms should ordinarily not be approved in planning areas where the total number of operating rooms available for both inpatient and outpatient surgery exceeds the area need.

(5) When a need exists in planning areas for additional outpatient operating room capacity, preference shall be given to dedicated outpatient operating rooms.

(6) An ambulatory surgical facility shall have a minimum of two operating rooms.

(7) Ambulatory surgical facilities shall document and provide assurances of implementation of policies to provide access to individuals unable to pay consistent with charity care levels provided by hospitals affected by the proposed ambulatory surgical facility. The amount of an ambulatory surgical facility's annual revenue utilized to finance charity care shall be at least equal to or greater than the average percentage of total patient revenue, other than medicare or medicaid, that affected hospitals in the planning area utilized to provide charity care in the last available reporting year.

(8) The need for operating rooms will be determined using the method identified in subsection (9) of this section.

(9) Operating room need in a planning area shall be determined using the following method:

(a) Existing capacity.

(i) Assume the annual capacity of one operating room located in a hospital and not dedicated to outpatient surgery is ninety-four thousand two hundred fifty minutes. This is derived from scheduling forty-four hours per week, fifty-one weeks per year (allowing for five week-day holidays), a fifteen percent loss for preparation and clean-up time, and fifteen percent time loss to allow schedule flexibility. The resulting seventy percent productive time is comparable to the previously operating hospital commission's last definition of "billing minutes" which is the time lapse from administration of anesthesia until surgery is completed.

(ii) Assume the annual capacity of one operating room dedicated to ambulatory surgery is sixty-eight thousand eight hundred fifty minutes. The derivation is the same as (a)(i) of this subsection except for twenty-five percent loss for prep/clean-up time and scheduling is for a thirty-seven and one-half hour week. Divide the capacity minutes by the average minutes per outpatient surgery (see (a)(vii) of this subsection). Where survey data are unavailable, assume fifty minutes per outpatient surgery, resulting in a capacity for one thousand three hundred seventy-seven outpatient surgeries per room per year.

(iii) Calculate the total annual capacity (in number of surgeries) of all dedicated outpatient operating rooms in the area.

(iv) Calculate the total annual capacity (in number of minutes) of the remaining inpatient and outpatient operating rooms in the area, including dedicated specialized rooms except for twenty-four hour dedicated emergency rooms. When dedicated emergency operating rooms are excluded, emergency or minutes should also be excluded

when calculating the need in an area. Exclude cystoscopic and other special purpose rooms (e.g., open heart surgery) and delivery rooms.

(b) Future need.

(i) Project number of inpatient and outpatient surgeries performed within the hospital planning area for the third year of operation. This shall be based on the current number of surgeries adjusted for forecasted growth in the population served and may be adjusted for trends in surgeries per capita.

(ii) Subtract the capacity of dedicated outpatient operating rooms from the forecasted number of outpatient surgeries. The difference continues into the calculation of (b)(iv) of this subsection.

(iii) Determine the average time per inpatient and outpatient surgery in the planning area. Where data are unavailable, assume one hundred minutes per inpatient and fifty minutes per outpatient surgery. This excludes preparation and cleanup time and is comparable to "billing minutes."

(iv) Calculate the sum of inpatient and remaining outpatient (from (b)(ii) of this subsection) operating room time needed in the third year of operation.

(c) Net need.

(i) If (b)(iv) of this subsection is less than (a)(iv) of this subsection, divide their difference by ninety-four thousand two hundred fifty minutes to obtain the area's surplus of operating rooms used for both inpatient and outpatient surgery.

(ii) If (b)(iv) of this subsection is greater than (a)(iv) of this subsection, subtract (a)(iv) of this subsection from the inpatient component of (b)(iv) of this subsection and divide by ninety-four thousand two hundred fifty minutes to obtain the area's shortage of inpatient operating rooms. Divide the outpatient component of (b)(iv) of this subsection by sixty-eight thousand eight hundred fifty to obtain the area's shortage of dedicated outpatient operating rooms.

NEW SECTION

WAC 248-19-701 KIDNEY DISEASE TREATMENT CENTERS. (1) To receive approval, a kidney disease treatment center must meet the following standards in addition to applicable review criteria in WAC 248-19-370, 248-19-380, 248-19-390, and 248-19-400.

(2) End stage renal disease planning areas shall be health service areas. The health service areas are as follows:

(a) Health service area I includes Clallam, Jefferson, San Juan Island, Kitsap, Pierce, King, Snohomish, Skagit, and Whatcom counties.

(b) Health service area II includes Thurston, Mason, Grays Harbor, Pacific, Wahkiakum, Lewis, Cowlitz, Clark, Skamania, and Klickitat counties.

(c) Health service area III includes Okanogan, Chelan, Douglas, Grant, Kittitas, Yakima, Benton, and Franklin counties.

(d) Health service area IV includes Ferry, Stevens, Pend Oreille, Lincoln, Spokane, Adams, Whitman, Walla Walla, Columbia, Garfield, and Asotin counties.

(3) The maximum number of dialysis stations needed in an end stage renal disease planning area shall be determined using the following data:

(a) Utilization of a dialysis station or a center.

(i) One hundred percent utilization equals twelve dialyses per week.

(ii) Eighty percent utilization equals 9.6 dialyses per week.

(iii) When determining the utilization of an existing center each station on which at least six patients have been self/home trained annually shall be deducted from the approved stations.

(iv) When determining the utilization of an existing center, the utilization rate may be reduced to seventy-five percent and seventy percent in facilities with ten percent and twenty percent peritoneal dialysis patients respectively.

(b) At the time of the application, the most recent Washington state office of financial management population data.

(c) Historical data of the Northwest renal network.

(d) The health service area's most recent three-year average shall be used for incidence, death, transplant, and home training rates.

(4) The maximum number of dialysis stations projected as needed in an ESRD planning area shall be determined using the following methodology:

(a) Identify the number of incenter patients expected in the planning area in the year in which the application is submitted.

(i) Add expected new ESRD and re-entry cases per year.

(ii) Subtract expected ESRD patient deaths per year.

(iii) Subtract expected ESRD home training patients per year.

(iv) Subtract the number of expected functional transplants per year.

(b) Calculate the number of expected dialyses by multiplying the number of incenter patients by three treatments per week.

(c) Calculate the number of dialysis stations needed in the applicant's projected third full year of operation using eighty percent utilization.

(5) All kidney disease treatment centers within a reasonable driving time must be operating at an eighty percent utilization rate before additional stations are approved.

(6) New kidney disease treatment centers must reasonably project an eighty percent utilization rate by the third year of operation.

WSR 90-12-097
PERMANENT RULES
DEPARTMENT OF AGRICULTURE
[Order 2042—Filed June 5, 1990, 3:19 p.m.]

Date of Adoption: May 18, 1990.

Purpose: To establish organic processing standards and requirements for labeling of products.

Statutory Authority for Adoption: RCW 15.86.060 and chapter 15.86 RCW.

Pursuant to notice filed as WSR 90-08-090 on April 4, 1990.

Changes Other than Editing from Proposed to Adopted Version: Changing "organically processed food" to "processed organic food" and other clarifying language; changing the percentage of "approved ingredients" from one to two percent by weight; striking the line "For example, no packaging film which acts as a preservative is allowed" from WAC 16-158-030; in WAC 16-158-040 excluding water and salt from requirements concerning organically grown ingredients; requiring organic food processors to keep records of product from point of origin to buyer instead of from point of origin to retailer; and expanding the food products eligible for processed organic food certification by allowing processors to be licensed under chapter 69.07 RCW, RCW 15.32.110 or 15.36.080 or chapter 66.24 RCW.

Effective Date of Rule: Thirty-one days after filing.

May 18, 1990

Michael V. Schwisow

Deputy Director

for C. Alan Pettibone

Director

Chapter 16-158 WAC
PROCESSED ORGANIC FOODS—CERTIFICATION AND LABELING

NEW SECTION

WAC 16-158-010 PURPOSE. This chapter is promulgated pursuant to RCW 15.86.070 wherein the director is authorized to adopt rules establishing a certification program for processors of organic food.

NEW SECTION

WAC 16-158-020 DEFINITIONS. As used in this chapter:

(1) "Processed organic food" means food that in whole or in part is organically grown and which in its

processing has not been treated with synthetically or artificially derived preservatives, colorings, flavorings, or any other artificial or synthetic additive.

(2) "Processed organic food certification" means that a food product complies with the processed organic food standards and has been inspected and tested as set forth in this chapter.

(3) "Food processing" is as defined under RCW 69.07.010 and means the handling or processing of any food in any manner in preparation for sale for human consumption: PROVIDED, That it shall not include fresh fruit or vegetables merely washed or trimmed while being prepared for sale in their natural state.

(4) "Director" means the director of the department of agriculture or his or her designee.

(5) "Food processing plant" is as defined under RCW 69.07.010 and includes but is not limited to any premises, plant, establishment, facilities and the appurtenances thereto, in whole or in part, where food is prepared, handled, or processed in any manner for resale or distribution to retail outlets, restaurants, and any such other facility selling or distributing to the ultimate consumer: PROVIDED, That retail outlets, as set forth herein, processing foods in any manner for resale shall be considered a food processing plant as to such processing.

NEW SECTION

WAC 16-158-030 ORGANIC PROCESSING STANDARDS. (1) Ingredients:

All processed foods and raw materials labeled as organic must comply with chapter 15.86 RCW and chapter 16-154 WAC. A copy of grower affidavits for raw materials must be placed on file at the time of purchase as part of the organic food processor's audit.

All nonorganic ingredients which are used in product formulation must be approved by the director and their sources must be listed as part of the audit process.

The source(s) of any "approved ingredients" which are not organically grown and are used as less than two percent by weight of the total product because these ingredients or additives are vital to product formulation and the organic ingredient is unavailable, extremely difficult to obtain, or impractical to substitute, must be listed as part of the organic food processor's audit.

(2) Storage:

All ingredients in an organic food processing facility must be stored so that there is no cross contamination from or confusion with a nonorganic food substance.

Insect and rodent control programs must be in place for organic product storage areas. Any insecticides and rodenticides must be approved for organic production.

In areas where entire manufacturing plants are periodically fumigated, the processor must demonstrate that any fumigants used will not form toxic residues on organic products.

Compounds for cleaning storage areas must be used in a manner that leaves no contamination of organically grown or approved nonorganic products by such synthetically formulated compounds.

(3) Food processing plant:

In addition to meeting all state and federal manufacturing standards, the processor of organic foods must

submit a complete description of the processing method to the director. This description should detail how all ingredients are handled, changed, and ultimately packaged. It should detail each machine, its ability to be thoroughly cleaned, the introduction of all ingredients, including water, into the product, packaging procedures, and cleanup procedures.

The organic food processor should demonstrate that once packaged, the product has not been contaminated by any step in the process. Organic food processors must be aware of possible contamination by various forms of packaging.

All packaging and products must be free of fungicides, preservatives, fumigants, and contaminants which are not approved for use on organic products.

All water used in processing must be noted in the organic food processor's audit. Source(s) and the additives chlorine and fluoride are to be monitored and comply with all applicable state regulations.

In any event cleaning must be accomplished with adequate sanitizers including unstable chlorine compounds to adequately clean and sanitize equipment, and as needed to maintain satisfactory sanitary practices.

NEW SECTION

WAC 16-158-040 LABELING. All processed organic foods processed or sold in Washington state must comply with the following labeling regulations.

(1) All organically processed foods must be labeled in accordance with Title 21, C.F.R., Part 101.

(2) No organic food product may be labeled "organic when available."

(3) The terms "organic" or "organically grown" may be used without restriction on the principal display panel of a processed food product if that product is a single or multi-ingredient food where all ingredients, excluding water and salt, are organically grown.

(4) In multi-ingredient food products which contain some nonorganic ingredients, excluding water and salt, the use of the terms "organic" or "organically grown" can only be used to modify the organic ingredient(s) and must restrict the type size of the words organic or organically grown etc., to not larger than three-quarters type size of the product identity.

If organically grown ingredients comprise less than fifty percent by weight, excluding water and salt, of the ingredients in a multi-ingredient food the word organic or any derivative of the word organic can only be used on the ingredients list.

(5) The terms "organic" or "organically grown" may be used in the product identity when less than two percent by weight of the total product contains minor ingredients or additives which are:

From a list approved by the Washington state department of agriculture.

NEW SECTION

WAC 16-158-050 RECORDKEEPING REQUIREMENTS. All processed organic food must be completely followed by an audit control system.

Organic food processors must keep records of products bought and sold that will enable the department to trace processed food products from the farm to the market. Such records must include but are not limited to, invoices, bill of ladings, and grower affidavits of incoming raw product; repack data and production run reports; and invoices and bill of ladings of processed products shipped out. These records must be kept for a minimum of two years. The audit control must be complete enough so that any product suspected of contamination can be immediately traced from point of origin to buyer.

NEW SECTION

WAC 16-158-060 PERMITTED SUBSTANCES FOR ORGANIC FOOD PROCESSING. A list of permitted substances and good manufacturing practices will be made available by the department. In general, all substances used in organic food processing should be grown organically.

NEW SECTION

WAC 16-158-070 PROCESSED ORGANIC FOOD CERTIFICATION. The processor seeking voluntary certification of its facility or that of its copacker for processed organic foods must:

(1) Fill out an application form for certification and submit it to the department of agriculture.

(2) Fill out and notarize the processor affidavit and submit it to the department of agriculture.

(3) Send the required fee to the department of agriculture.

(4) Be currently licensed under chapter 69.07 RCW, RCW 15.32.110 or 15.36.080 with the Washington department of agriculture or be licensed under chapter 66-.24 RCW with the Washington state liquor control board.

Upon approval of the application by the director and an inspection finds the applicant in compliance with the provisions of this chapter, the applicant shall be issued a license of certification.

NEW SECTION

WAC 16-158-080 USE OF PROCESSED ORGANIC FOOD CERTIFICATION LABEL. Organic food processors certified under the Washington department of agriculture organic food program will be able to use the words "processed under the Washington department of agriculture organic food certification program" in their labeling as long as their practices comply with this chapter, chapter 15.86 RCW, and chapter 16-154 WAC.

NEW SECTION

WAC 16-158-090 INSPECTION. The director shall make at least one visit and any additional visits deemed necessary to each organic food processor under the organic food certification program each year for the purpose of inspection for compliance with this chapter and chapter 15.86 RCW and chapter 16-154 WAC.

This inspection may entail survey of required records, examination of processing equipment and storage areas, and any other information deemed necessary to the requirements of this chapter.

NEW SECTION

WAC 16-158-100 SAMPLING. A sample representative of a processed product processed by organic food processors under the organic food certification program may be tested for pesticide residues whenever the director deems it necessary for certification.

It shall be the processor's responsibility to arrange for and bear the costs for any additional testing which is deemed necessary by the director.

NEW SECTION

WAC 16-158-110 OTHER REQUIREMENTS. Nothing in this chapter shall be construed as allowing foods to be labeled as a standardized food under Title 21 C.F.R. unless they meet the standards and identity of such foods. Organic food processors are subject to all the requirements of chapters 69.04, 69.07, 15.86, 15.32, and 69.28 RCW, and any other statutes which are applicable.

NEW SECTION

WAC 16-158-120 DECERTIFICATION. Whenever the director finds that an organic food processor who has been certified under this program has:

- (1) Violated the standards for certification which are set forth in RCW 15.86.030 and WAC 16-154-010 and 16-154-020;
- (2) Has filed an application for certification which is false or misleading in any particular;
- (3) Has violated any of the provisions of this chapter;
- (4) Has failed to provide records as required by WAC 16-154-020; or
- (5) Has violated any provisions of chapter 69.04 or 69.07 RCW;

The director may issue an order suspending or revoking that processor's certification under this program or he may issue an order directing the organic food processor to take other appropriate action to correct the violation. If the appropriate action is taken, the processor will be returned to its previous status under the program.

Any organic food processor who has received notice that its certification may be revoked under this section may apply for a hearing under the Washington Administrative Procedure Act, chapter 34.05 RCW. Such application must be in writing, addressed to the director of the Washington department of agriculture and be received in the Olympia administrative offices not later than twenty days from the date of the notice of the opportunity to apply for a hearing.

This shall not preclude the department of agriculture from taking whatever action they deem appropriate under chapter 69.04 or 69.07 RCW for violations of those statutes.

NEW SECTION

WAC 16-158-130 FEE SCHEDULE. Application for a license shall be on a form prescribed by the director and accompanied by a three hundred dollar annual license fee. In addition, one-quarter of one percent of gross receipts of the previous years' sales of processed organic food must accompany the application.

NEW SECTION

WAC 16-158-140 PROCESSED ORGANIC FOOD LOGO.



WSR 90-12-098
PERMANENT RULES
DEPARTMENT OF AGRICULTURE
 [Order 2041—Filed June 5, 1990, 3:20 p.m.]

Date of Adoption: June 5, 1990.

Purpose: To make changes in response to seed industry requests.

Citation of Existing Rules Affected by this Order: Amending chapters 16-300, 16-304 and 16-316 WAC.

Statutory Authority for Adoption: Chapter 15.49 RCW.

Pursuant to notice filed as WSR 90-09-064 on April 17, 1990.

Changes Other than Editing from Proposed to Adopted Version: Two additions made to the lists of eligible grass varieties. Summit was added to the Kentucky Bluegrass list and Avanti Tall was added to the Fescue list.

Effective Date of Rule: Thirty-one days after filing.

June 5, 1990
 Michael V. Schwisow
 Deputy Director
 for C. Alan Pettibone
 Director

AMENDATORY SECTION (Amending Order 1796, filed 5/16/83)

WAC 16-300-020 RESTRICTED NOXIOUS WEED SEEDS. (1) Restricted (secondary) noxious weed seeds are the seeds of weeds which are objectionable in fields, lawns, and gardens of this state, but which can be controlled by cultural or chemical practices.

(2) It shall be unlawful for any person to distribute mislabeled seed. Seed shall be deemed to be mislabeled if it consists of or contains any of the restricted noxious weed seeds listed below in excess of the number declared on the label.

ENGLISH OR COMMON NAME	BOTANICAL OR SCIENTIFIC NAME
((Bermudagrass	Eynodon dactylon (L.) Pers.)
Blue lettuce	Lactuca pulchella (Pursh.) DC.
Docks and Sorrel	Rumex spp.
Dodder	Cuscuta spp.
Field pennycress (fan-weed)	Thlaspi arvense
Field sandbur	Cenchrus pauciflorus Benth.

ENGLISH OR COMMON NAME	BOTANICAL OR SCIENTIFIC NAME
Gromwell (only in small grain)	Lithospermum arvense
Halogeton	Halogeton glomeratus C.A. Mey.
Medusahead	Elymus caput-medusae L. or Taeniatherum asperum (Sim.) Nevski
Plantains	Plantago spp.
Poverty weed	Iva axillaris Pursh.
Puncturevine	Tribulus terrestris L.
St. Johnswort	Hypericum perforatum L.
Dalmation toadflax	Linaria dalmatica (L.) Mill.
Yellow toadflax	Linaria vulgaris Hill.
Western ragweed	Ambrosia psilostachya DC.
Wild mustard	Brassica kabera (DC.) L.C. Wheeler Var.
Wild oat	Avena fatua L.
Yellow starthistle	Centaurea solstitialis L.

For the purpose of seed certification, see WAC 16-316-165 for the list of objectionable weeds.

AMENDATORY SECTION (Amending Order 2005, filed 5/22/89)

WAC 16-304-040 SCHEDULE OF CHARGES. (1) Testing fees shall be as follows:

	SAMPLE MIN. SIZE	PURITY (a)	NOXIOUS ONLY	GERM (b)	PURITY AND GERM (c)	TETRAZOLIUM 200 Seeds (d)
Bentgrass	2 oz.	\$30.00	\$15.00	\$16.00	\$46.00	\$21.00
Bluegrass	4 oz.	21.00	13.00	14.00	35.00	21.00
Bromegrass	6 oz.	22.00	13.00	11.50	33.50	21.00
Fescue	4 oz.	21.00	13.00	11.50	32.50	21.00
Orchardgrass	4 oz.	24.00	15.00	13.00	37.00	21.00
Ryegrass	4 oz.	21.00	13.00	10.50	31.50	21.00
Crested Wheatgrass	4 oz.	25.00	15.00	14.00	39.00	21.00
Other Wheatgrasses	6 oz.	36.00	22.00	14.00	50.00	21.00
Other grasses	4 oz.	17.00	10.50	10.50	27.50	21.00
Beans and peas	1 1/4 lb.	13.00	7.50	11.50	24.50	21.00
Cereals	1 1/4 lb.	13.50	9.00	11.50	25.00	21.00
Other crops	4 oz.	13.50	9.00	11.50	25.00	21.00
Mixture (for each additional kind)		10.50		13.00		21.00
Beets		18.00	8.50	17.00	35.00	
Rapeseed		32.00	9.00	16.00	48.00	21.00
Carrot		13.50	9.00	11.50	25.00	36.00

(a) Purity - analysis to determine percent pure, other crop, inert, and weeds based on working sample as prescribed by Federal Seed

Act (example: One gram - bluegrass; five grams - alfalfa; and one hundred grams - wheat) and examined for Washington state noxious weeds

based on minimum sample size as prescribed by Federal Seed Act (example: Ten grams - bluegrass; fifty grams - alfalfa; five hundred grams - wheat).

(b) Germination - test prescribed by Federal Seed Act to determine percent germination of seed sample based on four hundred seeds.

(c) Purity and germination - includes both (a) and (b). This combination of tests provides information needed to label seed under state and federal acts.

(d) Tetrazolium test - a chemical test that measures viability and germination potential. (A germination test should also be obtained.)

(2) Special tests: (Standard noxious exam size unless otherwise specified).

(a) Crop and/or weed exam Noxious only fee plus \$ 3.50 (or hourly rate when applicable)

All crop seeds and/or all weed seeds are listed as number per pound.

(b) Poa annua check for bentgrass and bluegrass - each five grams \$16.00
Poa annua check for other grasses - each 10 grams \$16.00

(c) Sod seed analysis -
Bluegrass \$56.00
Fescue \$40.00
Ryegrass \$32.00

(A special test of turf grasses - for those who need a detailed examination of seed before purchase and/or use.)

Bluegrass test includes purity, twenty-five gram all weed/all crop, except ten gram Poa annua exam. Ryegrass and Fescue test includes purity, one hundred gram all weed/all crop. (Fluorescent required on ryegrass; germ and fluorescent test additional fee.)

(d) Fluorescent test - (four hundred seed test) \$13.00

(e) Pest and disease, soil exam or similar . . . \$16.00 (Reported on seed analysis certificate.) A visual examination of a representative sample.

(f) Sod analysis check - twenty-five gram exam to evaluate if a lot appears to be sod quality (phone report only) \$18.00

(g) Variety separation of Kentucky bluegrass . \$18.00 If separated at time of purity analysis \$ 9.00

(h) Sodium hydroxide test for presence of red and/or white wheat \$10.00

(i) Brassica seed chemical identification test . \$10.00

(j) Analysis of partially cleaned, uncleaned or field run seed with excessive inert, other crop or weed seeds (per hour) \$16.00

(k) Fescue seed fluorescence test - a test required to determine presence of other fine fescue species in hard fescue and sheep fescue which is required on certified samples \$14.00

(3) Inventory testing for germination: A service to provide opportunity to have carry-over seed stocks except mixtures tested at lowest possible charge. Not an official germination test.

(a) Reports may not be mailed until all tests are completed.

(b) Samples shall be plainly labeled "inventory samples."

(c) Samples shall be reported according to the sender's designation. The laboratory shall assume no responsibility for correct identification. These samples and tests shall not become a part of our permanent record.

(d) The fee for this service shall be one-half the regular germination fee.

(e) Inventory testing for germination will be run as germination space is available, with the understanding that regular service samples have priority.

(4) Miscellaneous laboratory fees:

(a) Rush samples (including phone report if requested at time sample is submitted) \$((~~10.00~~)) 12.00

(b) Phone reports on test result, per call \$ 3.50

(c) Preliminary report on germination (phone report only) \$ 8.00

(d) Morphological test \$ 8.00 (alfalfa or clover examined under magnification for combine damage.)

(e) Additional mailing of report (each destination) \$ 1.50

(f) Recopies of reports (minimum fee) \$ 2.50

Revised reports (minimum fee) \$ 5.00 (or hourly fee when applicable)

(g) I.S.T.A. rules test	PURITY	GERMINATION
Alfalfa, clover	\$20.00	\$14.00
Kentucky bluegrass	\$30.00	\$14.00
Peas, lentils	\$20.00	\$14.00

(h) Canadian rules test	PURITY	GERMINATION
Alfalfa, clover	\$20.00	\$11.50
Kentucky bluegrass	\$30.00	\$14.00
Peas, lentils	\$20.00	\$11.50

(i) Seed count \$16.00

(j) Extra charge for samples requiring special preparation for germination, i.e., New Zealand spinach, pelleted seeds, spinach, chard, etc. . . . \$16.00

(k) Hourly fee for miscellaneous services . . . \$16.00

(l) Service charge for submitted federal phytosanitary certificates, per certificate \$ 5.00

(m) All states noxious weed examination . \$ ((~~7.00~~)) 10.00

(n) Fee for special handling service (i.e., Federal Express, Air Parcel Post, or air freight) for documents or seed samples \$ 3.50

(o) Fee for facsimile transmission of documents, per document \$ 3.50

(p) Undesirable grass species examination (UGS test) \$12.00

AMENDATORY SECTION (Amending Order 1976, filed 5/13/88)

WAC 16-304-110 ANNUAL SEED INSPECTION CHARGE. Each person required to obtain a seed labeling permit, pursuant to RCW 15.49.400, of the Washington State Seed Act, shall also, pursuant to

RCW 15.49.310 and 15.49.370, pay a general seed inspection charge annually to the department in the amount of ten cents per one hundred dollars gross annual dollar sales in excess of ten thousand dollars of agricultural and/or vegetable seed distributed in this state during the preceding fiscal year: PROVIDED, That no assessment shall be collected on (1) seed for which the assessment has been previously collected, except when such seed has been relabeled; (2) agricultural or vegetable seed distributed out of state; (3) seed distributed in containers of four ounces or less; (4) stock seed; and (5) seed distributed by governmental agencies, such as but not limited to the United States Department of Agriculture national foundation seed project: PROVIDED FURTHER, That erroneous and overpayments shall be refunded on request. Requests for refund shall be filed by June 30 of the year following the due date. Agricultural and/or vegetable seeds distributed under bailment contract shall be valued at the producer-conditioner agreement rate in lieu of sale.

The assessment fees for the period beginning July 1, ((+1987)) 1989 through June 30, ((+1988)) 1990 shall be payable by February 1, ((+1989)) 1991. The assessment fees for the period beginning July 1, ((+1988)) 1990 through June 30, ((+1989)) 1991 shall be payable by February 1, ((+1990)) 1992.

The assessment may accompany the annual application for the seed labeling permit. A penalty of ten percent of the assessment fee or minimum of ten dollars, whichever is greater, shall be added to all assessments not paid by February 1. These funds shall only be used for seed control activities. The annual seed labeling permit may not be issued until all assessments and penalties have been satisfied.

AMENDATORY SECTION (Amending Order 1976, filed 5/13/88)

WAC 16-304-130 SEED INSPECTION ASSESSMENT—EFFECTIVE DATES. This rule is effective through June 30, ((+1990)) 1992. Between January 1, ((+1990)) 1992 and March 1, ((+1990)) 1992, the assessment program shall be reviewed by the seed branch advisory committee, who will recommend whether to continue the seed assessment program. Such recommendations shall be considered at a public hearing under the authority of chapter 42.30 RCW, the Open Public Meetings Act, and chapter ((34.04)) 34.05 RCW, the Administrative Procedure Act. The advisory committee shall also recommend the objectives of the seed quality control activities and shall review expenditures of assessment funds to verify such funds are being used only for seed quality control activities.

AMENDATORY SECTION (Amending Order 1948, filed 8/13/87)

WAC 16-316-165 SEED CERTIFICATION—OBJECTIONABLE WEEDS. The following weeds shall be considered objectionable weeds for the purpose of seed certification:

ENGLISH OR COMMON NAME	BOTANICAL OR SCIENTIFIC NAME
((Bermudagrass	<i>Cynodon dactylon</i> (L.) Pers.))
Blue lettuce	<i>Lactuca pulchella</i> (Pursh.) DC.
Docks and Sorrel	<i>Rumex</i> spp.
Field pennycress (fanweed)	<i>Thlaspi arvense</i>
Field sandbur	<i>Cenchrus pauciflorus</i> Benth.
Halogeton	<i>Halogeton glomeratus</i> C.A. Mey.
Medusahead	<i>Elymus caput-medusae</i> L. or <i>Taeniatherum asperum</i> (Sim) Nevski
Plantains	<i>Plantago</i> spp.
Poverty weed	<i>Iva axillaris</i> Pursh.
Puncturevine	<i>Tribulus terrestris</i> L.
St. Johnswort	<i>Hypericum perforatum</i> L.
Dalmation toadflax	<i>Linaria dalmatica</i> (L.) Mill.
Yellow toadflax	<i>Linaria vulgaris</i> Hill.
Western ragweed	<i>Ambrosia psilostachya</i> DC.
Wild mustard	<i>Brassica kaber</i> (DC.) L.C. Wheeler Var.
Wild oat	<i>Avena fatua</i> L.
Yellow starthistle	<i>Centaurea solstitialis</i> L.
Gromwell (in small grain)	<i>Lithospermum arvense</i>
Bedstraw	<i>Galium aparine</i> (in alfalfa only - inclusion of this species on weed list means certified class is limited to a maximum 18 per pound with no tolerance for foundation or registered seed)

AMENDATORY SECTION (Amending Order 1976, filed 5/13/88)

WAC 16-316-370 GRASS SEED STANDARDS. Seed standards for grass shall be as follows:

PART ONE OF TABLE							
Crop & type of Reproduction	Symbol (as defined in WAC 16-316-360)	Min. % Germ Fndt. Reg. Cert.		Min. % Pure Fndt. Reg. Cert.		Max. % Inert Fndt. Reg. Cert.	
Bluegrass							
Sherman	(A)	70	70	90	90	10	10
Canby	(A)	70	70	90	90	10	10
Kentucky	(A)	80(e)	80(e)	97	97(d)	3	3
Merion Kentucky	(A)	80(e)	80(e)	92	92(d)	8	8
Canada and Upland	(A)	80	80	96	92(d)	4	8
Bromegrass							
Smooth Brome	(C)	80	85	95	95	5	5
Meadow Brome	(C)	80	85	95	95	5	5
Mountain Brome	(S)	85	85	95	95	5	5
Deertongue	(C)	50	50	97	95	3	5
Fescue							
Tall and meadow	(C)	80	85	95	97	5	3
Hard and sheep, Idaho, Red Fescue	(C)	80	85	95	95	5	5
Other Fescue (Chewings)	(C)	80	90	95	95	5	5
Orchardgrass	(C)	80	85	85	90	15	10
			80 for Pennlate & Latar				
Ryegrass							
Pennfine	(C)	85	90	96	97	4	3
	(C)	85	85	96	97	4	3
Timothy	(C)	80	85	97	97	3	3
Wheatgrass							
Beardless	(C)	80	85	90	90	10	10
Bluebunch	(C)	80	85	90	90	10	10
Intermediate	(C)	80	85	95	95	5	5
Pubescent	(C)	80	85	95	95	5	5

Crop & type of Reproduction	Symbol (as defined in WAC 16-316-360)	Min. % Germ Fndt.		Min. % Pure Fndt.		Max. % Inert Fndt.	
		Reg.	Cert.	Reg.	Cert.	Reg.	Cert.
Western, Streambank, Thickspike, Crested, and Siberian	(C)	80	85	90	90	10	10
Slender	(S)	80	85	90	95	10	5
Tall	(C)	80	85	95	95	5	5
Indian Ricegrass	(C)	80*	80*	95	90	5	10
Puccinellia distans	(C)	80	80	95	95	5	5
Basin Wildrye and Russian Wildrye	(C)	80	80	90	90	10	10
Bentgrass	(C)	85	85	98	98	2	2
Redtop	(C)	80	80	92	92	8	8
Ann. Canarygrass	(C)	85	85	99	99	1	1

PART TWO OF TABLE

Crop & type of Reproduction	Max. % Weeds(b) Fndt.		Max. % Other Crop Fndt.(a)		Max. No. seeds of other grass spp. (h)	
	Reg.	Cert.	Reg.	Cert.	Fndt.	Reg.
Bluegrass Sherman	.05	.3	.1	.5	1/10 grams	1/1 gram
Canby	.05	.3	.1	.5(d)	1/10 grams	1/1 gram
Kentucky	.05	.3	.1	.5(d)	1/10 grams	1/1 gram
Merion Kentucky	.05	.3	.1	.5(d)	1/10 grams	2/1 gram
Canada, Upland	.05	.3	.1	.5(d)	1/10 grams	1/1 gram
Bromegrass Smooth Brome	.05	.3(c)	.1	.5	1/50 grams	10/50 grams
Meadow Brome	.05	.3(c)	.1	.5	1/50 grams	10/50 grams
Mountain Brome	.3	.5	.5	1.0	1/50 grams	10/50 grams
Deertongue	.50	.5(c)	1.0	1.0	1%	—
Fescue Tall and Meadow	.03	.3(c)	.1	.5	2/50 grams	10/50 grams
Hard and sheep, Idaho, Red, Fescue	.03	.3(c)	.1	.5	1/50 grams	5/50 grams
Other Fescue (Chewings)	.03	.3(c)	.1	.5	1/50 grams	5/50 grams
Orchardgrass	.03	.3(c)	.1	.5	3/50 grams	10/50 grams
Ryegrass	.1	.3(c)	.1	.5	1/50 grams	5/50 grams
Pennfine	.1	.3(c)	.1	.5	1/50 grams	5/50 grams
Timothy	.1	.3	.1	.5	1/50 grams	5/50 grams
Wheatgrass Beardless	.1	.3(c)	.1(f)	.5	1/50 grams	5/50 grams
Blue Bunch	.1	.3(c)	.1(f)	.5	1/50 grams	5/50 grams

Crop & type of Reproduction	Max. % Weeds(b) Fndt.		Max. % Other Crop Fndt.(a)		Max. No. seeds of other grass spp. (h)	
	Reg.	Cert.	Reg.	Cert.	Fndt.	Reg.
Intermediate	.1	.3(c)	.1(f)	.5	1/50 grams	5/50 grams
Pubescent	.1	.3(c)	.1(f)	.5	1/50 grams	5/50 grams
Western, Streambank	.1	.3(c)	.1(f)	.5	1/50 grams	5/50 grams
Crested, and Siberian	.1	.3(c)	.1(f)	.5	1/50 grams	5/50 grams
Slender	.1	.3(c)	.1(f)	.5	1/50 grams	5/50 grams
Tall	.1	.3(c)	.1(f)	.5	1/50 grams	5/50 grams
Indian Ricegrass	.3	.5	.5	1.0	1/50 grams	5/50 grams
Puccinellia distans	.3	.5	.5	1.0	1/10 grams	1/1 grams
Basin Wildrye and Russian Wildrye	.1	.3(c)	.1	.5	1/50 grams	5/50 grams
Bentgrass	.3(g)	.4(g)	.2	.6		
Redtop	.3(g)	.5(g)	.5	2		
Ann. Canarygrass	.1	.3	1/lb.	3/lb.		

The following (a)-(f) are notes to the above table.

(a) Not to exceed twenty-five hundredths of one percent other grass species for certified seed.

(b) Grass seed shall not contain more than forty-five per pound for registered seed, ninety per pound for blue tag seed, singly or collectively, of objectionable weed seeds. (See current general rules.) Grass seed shall be free of the seed of prohibited noxious weeds.

(c) A tolerance of five-tenths of one percent may be allowed for samples containing weedy bromus spp.: PROVIDED, That the total of all other weed seeds does not exceed three-tenths of one percent.

(d) A three percent tolerance of other Kentucky Bluegrass varieties may be allowed in Merion. (Note: Containing minimum ninety-two percent Merion.) In Canada Bluegrass, three percent Kentucky Bluegrass may be permitted.

(e) A standard tetrazolium (two hundred seed) test may be used in lieu of germination test.

(f) A tolerance of eight-tenths of one percent may be allowed in registered and certified wheatgrass containing small grain seed: PROVIDED, That the total of all other crop seed does not exceed one-tenth of one percent for registered class and five-tenths of one percent for certified class.

(g) Blue tag seed shall not contain over nine hundred seeds per pound, singly or collectively, of the following weeds: Plaintain spp., Big Mouse-ear Chickweed, Yarrow, Spotted Cat's Ear, and Dandelion.

(i) A maximum of .50 percent weed seed may be allowed in bentgrass containing silver hairgrass: PROVIDED, That the total of all other weed seed does not exceed .40 percent.

(ii) 1.50 percent other fine bentgrasses and .50 percent redtop may be allowed in certified bentgrass containing a minimum of 98.00 percent total bentgrass.

(h) A crop exam is required for all registered and foundation class grass seeds.

* or seventy percent by Tz test

AMENDATORY SECTION (Amending Order 2005, filed 5/22/89)

WAC 16-316-474 FIELD PEA—LENTIL—SOYBEAN—SORGHUM—SMALL GRAIN—APPLICATION AND FEES. (1) An application for seed certification with application fee, field inspection fee, and late application fee (if due) for each field shall be filed by or for each grower with Washington State Crop Improvement Association, Inc., the certifying agency for seeds of field pea, lentil, soybean, sorghum and small grains.

(2) Due dates:

(a) Field pea - June 1

(b) Lentil - June 1

(c) Soybean - July 1

(d) Sorghum - July 15

(e) Small grains - June 1 for both winter varieties and spring varieties.

(f) After due date, an application with late application fee may be accepted for service.

(3) Fees:

(a) Application fee per variety per grower . . . \$15.00

(b) Field inspection fee per acre \$ 2.10

(c) Late application fee \$15.00

(d) Reinspection fee \$30.00

minimum for each field which did not pass field inspection plus \$ 0.40 for each acre over twenty-five. The reinspection fee for isolation requirements only for a field of any size is \$30.00.

(e) Final certification fee \$ 0.17

per cwt. of clean seed sampled, which shall be charged to conditioning plant, or production fee \$ ~~(0.17)~~ 0.10 per cwt. of production from fields inspected which is utilized for seed, which shall be charged to ~~((conditioning plant or, if none, to applicant))~~ the grower or the final seller prior to brokerage, retail sale, sale to plant not approved for conditioning certified seed, or transshipment out-of-state.

(f) Sampling fee \$ 0.10

per cwt. of clean seed sampled, with minimum charge of ten dollars per sample, which shall be charged to conditioning plant in lieu of mechanical sampling.

(4) A field may be withdrawn upon notification by the applicant to the certifying agency's office before field inspection. In such case, the field inspection fee shall be refunded upon request until June 30 of the year following harvest.

(5) Harvest before field inspection causes forfeitures of both the application and field inspection fees, and completion of certification.

AMENDATORY SECTION (Amending Order 2005, filed 5/22/89)

WAC 16-316-525 FIELD PEA—LENTIL—SOYBEAN—SORGHUM—SMALL GRAIN—ELIGIBLE VARIETY AND STOCK SEED.

Kind	Variety
Barley, spring	Advance, Belford, Andre, Camelot (P), ((Clark,)) Columbia (P), Cougar, <u>Crystal</u> , Flynn, Gus (P), Harrington, Klages, Kombar (P), Lindy (P), Menuet (P), Morex, Nova (P), <u>Odyssey (P)</u> , Onda (P), ((Piston (P),)) Poco (P), <u>Russell</u> , Seven (P), Steptoe, WestBred Gustoe (P), WestBred ((50+)) <u>Medalion</u> (P), WestBred Sprinter (P), Whitford (P)
Barley, winter	Boyer, Hesk, Kamiak, ((Luther,)) Mal, Scio, Showin
Oat, spring	Appaloosa, Border, Cayuse, Monida, ((Ogle)) <u>Otana</u> , Park,
Rye, winter	Puma, Rymin
Wheat, spring	Bliss, Bronze Chief (P), Copper, Czar (P), Dirkwin, Edwall, Fielder, ((Kodiak (P),)) Landmark (P), McKay, <u>Nomad (P)</u> , Owens, Penawawa, Spillman, Tammy (P), Treasure, ((Urquie,)) Wadual, Wakanz, Wampum, Wared, Waverly, WestBred 881 (P), WestBred 906R (P), WestBred 911 (P), WestBred 926 (P), WestBred Sprite, WS-1 (P), ((W-444 (P),)) Yecora Rojo
Wheat, winter	Andrews, Basin (P), Batum, Cashup (P), Crew Daws, Dusty, Hatton, Hill-81, Hyak, John, Lewjain, Madsen, <u>Malcolm</u> , McCall, Moro, <u>Nugaines</u> , ((Paha,)) Sprague, Stephens, <u>Syringa</u> , Tres, Tyee, Wanser
Triticale, spring	Juan, Whitman
Triticale, winter	Flora
(P) means proprietary	
The eligibility of other varieties may be approved by the certifying agency.	
Foundation seed is eligible to produce registered seed or certified seed.	
Registered seed is eligible to produce certified seed.	
Certified seed is not eligible for recertification.	

AMENDATORY SECTION (Amending Order 1831, filed 6/15/84)

WAC 16-316-715 MISCELLANEOUS FIELD AND SEED INSPECTION STANDARDS. (1) The field inspection will be made:

- (a) For field pea – when seedcrop is in full bloom;
- (b) For lentil – when seedcrop is in full bloom;
- (c) For soybean – when seedcrop is in full bloom and/or of mature color;
- (d) For sorghum – when seedcrop is in full bloom, and optionally again when seedcrop begins to show mature color;
- (e) For small grains – when seedcrop is fully headed and of mature color.

(2) Any condition or practice which permits or causes contamination of the seedcrop, such as failure to prevent

seed formation in bindweeds, Canada thistle or jointed goatgrass, or excess weeds, or mechanical field mixing, shall be cause for rejection upon inspection for field standards. Fields rejected for jointed goatgrass at first inspection are not eligible for reinspection and shall remain ineligible for any future production of certified classes of small grain seed until such time a reclamation program is developed. Fields rejected for other causes will remain eligible for reinspection.

(3) No prohibited noxious weed seeds are permitted upon inspection for seed standards.

(4) Germination minimum refers to germination when sampled.

(5) If chemically controllable seed-borne diseases are noted upon inspection for field standards and seed standards for small grains, treatment of seed is required.

AMENDATORY SECTION (Amending Order 1976, filed 5/13/88)

WAC 16-316-724 SMALL GRAINS STANDARDS. (1) Small grains (barley, oat, rye, triticale, wheat) – land, isolation, and field standards:

CLASS	LAND STANDARDS MINIMUM YEARS	ISOLATION STANDARDS MINIMUM FEET	FIELD STANDARDS	
			OFF-TYPE MAXIMUM ((PLANTS/ACRE)) HEAD RATIO	OTHER CROP MAXIMUM ((PLANTS/ACRE)) HEAD RATIO
Foundation	1*	((3)) 90**	None	None***
Registered	1*	3**	((5)) 1/148,000	((5)) 1/148,000***
Certified	1*	3**	((15)) 1/49,000	((15)) 1/49,000***

- * Waived if the previous crop was grown from an equal or higher certified class of seed of the same variety.
- ** Refers to distance from other small grain fields. In addition, each rye field for certification shall be isolated from fields producing a certified class of the same variety by three feet, and from other rye fields by six hundred sixty feet. Each triticale field for certification shall be isolated from fields producing a certified class of the same variety by three feet, and from other triticale, rye and wheat fields by three hundred feet for foundation and registered class, and three feet for certified class, unless stated by plant breeder.
- *** Refers to other small grains, except that no rye or triticale is permitted in barley, oat, or wheat; no vetch is permitted.

(2) Small grains – seed standards:

CLASS	OTHER SMALL GRAINS AND/OR OFF-TYPE MAXIMUM SEEDS/LB	PURE SEED MINIMUM %	INERT MAXIMUM %	OTHER CROP MAXIMUM %	WEED MAXIMUM %	GERMINATION MINIMUM %
Foundation	None	98.00	2.00	None	0.01**	85.00
Registered	2	98.00	2.00	0.03*	0.01**	85.00
Certified	4	98.00	2.00	0.05*	0.03**	85.00

No rye or triticale is permitted in barley, oat or wheat; no vetch is permitted.

** Other tolerances for weed seed:

	OBJECTIONABLE WEED SEED MAXIMUM	WILD OAT MAXIMUM
Foundation	None	None
Registered	None	None
Certified	1/lb	None, except 1/lb in oat

AMENDATORY SECTION (Amending Order 1757, filed 3/31/82, effective 5/1/82)

WAC 16-316-620 STANDARDS. Seed standards for sod quality grass seed are as follows:

Variety	Mini- mum Purity	Mini- mum Germin- ation	Maxi- mum* Other Crop	Maxi- mum- ** Weed
Merion Kentucky Bluegrass	95%	80%	0.1%	.02%
Other varieties of Kentucky Bluegrass	97%	80%	0.1%	.02%
Red Fescue	98%	90%	0.1%	.02%
Chewings Fescue	98%	90%	0.1%	.02%
Tall Fescue	98.5%	85%	0.1%	.02%

*Must be free of ryegrass, orchardgrass, timothy, bentgrass, big bluegrass, *Poa trivialis*, ((smooth)) brome, reed canarygrass, tall fescue, clover, meadow foxtail and Canby bluegrass. Maximum allowable Canada bluegrass .02%. When the base sample is one of these kinds, the species will not be considered a contaminant (i.e., tall fescue in tall fescue).

**Must be free of dock, chickweed, crabgrass, plantain, short-awn foxtail, black medic, annual bluegrass, velvetgrass, Rattail fescue and prohibited noxious weed seeds.

AMENDATORY SECTION (Amending Order 1695, filed 5/30/80)

WAC 16-316-622 RYEGRASS STANDARDS. Seed standards for sod quality ryegrass seed are as follows:

Variety	Min- imum Purity	Min- imum Germin- ation	Maxi- mum Other Crop*	Maxi- mum*** Weed
Ryegrass**	98%	90%	0.10%	.02%

*Must be free of orchardgrass, timothy, bentgrass, big bluegrass, *Poa trivialis*, ((smooth)) brome, reed canarygrass, tall fescue, clover and meadow foxtail. Maximum allowable Canada bluegrass 0.02%.

**Maximum fluorescence levels as determined by breeder or variety owner.

***Must be free of dock, chickweed, crabgrass, plantain, black medic, annual bluegrass, velvetgrass, short-awn foxtail, and prohibited noxious weed seeds. An additional 0.07% of bromus spp. will be allowed.

AMENDATORY SECTION (Amending Order 2005, filed 5/22/89)

WAC 16-316-800 GRASS VARIETIES ELIGIBLE. (1) Following are the grass varieties eligible and the certifying scheme for each:

Bentgrass: (subject to poa annua quarantine)	Seaside Creeping*** Putter Creeping* Emerald Creeping**
Big Bluegrass:	Sherman**
Canada Bluegrass: (subject to poa annua quarantine)	Reubens**
Canby Bluegrass:	Canbar**
Kentucky Bluegrass: (subject to poa annua quarantine)	A-34 (Bensun)** Abbey** Adelphi** Alene* Alpine* Amason* (Amazon*) America* Ampellia* Argyle** Aspen* Banff** Barblue*pvvV Baron** Birka* Bono (Birdie)* Bronco* Chateau** Cheri (Golf)* Classic** Coventry** Destiny* Dawn* Eclipse* Enmundi*pvvV Estate* Freedom* Fylking** Georgetown** Geronimo* Glade** Haga* Harmony* Holiday* Huntsville* Ikone** Julia* Kelly* Kenblue* Kyosti* Leikra* Liberty** Limosine* Majestic** Merion** Monopoly* Mystic* Nassau**

Newport**
 Nugget*
 Nutop*
 Parade*
 Park**
 Paso*
 Pennstar*
 Plush*
 Princeton 104*
 Ram 1**pvpV
 Rugby*
 Scenic*
 Suffolk*
 Summit
 Swing*
 Sydsport*
 S-21**
 Tendos*
 Touchdown**
 Trenton*
 Troy**
 Wabash*
 Welcome*
 1757_
 Colt*
 Regar**
 Bromar**
 Baylor*
 Beacon*
 Bravo*
 Cottonwood*
 Jubilee*
 Manchar**
 Rebound*
 Saratoga*
 Countess Chewings**pvpV
 Amigo Tall*
 Arid Tall*
 Atlanta Chewings*
 Avanti Tall
 Barcel Tall**pvpV
 Barfalla Chewings**
 Barfalla Chewings**
 Baruba Chewings
 Dover Chewings*
 Durar Hard**
 Finelawn 1-Tall**
 Joseph Idaho**
 Mary Chewings*
 Nezpurs Idaho*pvpV
 Logro ((Slender-Creeping))
 Red**pvpV
 Chesapeake Tall*
 Manade Tall*
 Mesa-Tall ((Furf-Type))
 Rebel Tall*
 5 DM Tall*
 88001 Red**
 Safe Tall*
 Southern Cross Tall_
 Covar Sheep**
 Fawn Tall*
 Beaumont Meadow*
 First Meadow**
 Forager Tall*
 Wrangler-Tall_ ((Furf-Type))
 Hay King*
 Hay King II*
 Latar**
 Natsumidori (summer green)*
 Paiute**
 Pennlate*
 Potomac*

Rough Bluegrass:

Meadow Brome:

Mountain Brome:

Smooth Brome:

Fescue:
 (subject to poa annua
 quarantine - except tall
 fescue)

Orchardgrass:

Redtop:
 Indian Ricegrass:
 Perennial Ryegrass:
 (subject to poa annual
 quarantine)

Puccinellia distans:

Timothy:

Wheatgrass:

ed**

Basin Wild Rye:

Russian Wild Rye:

(2) Variety restrictions.

(a) Kentucky Bluegrass:

	NO. OF SEED HARVESTS	
	FOUNDATION REGISTERED	CERTIFIED
Baron	5	5
Birka	2 + 3 Cert.	5
Enmundi	4	5
Georgetown	5	5
Geronimo	6	6
Kenblue	5	7
Majestic	3 + 5 Cert.	5
Parade	5	5
Ram-I	2	6
Rugby	3 + 2 Cert.	5
Sydsport		5
Touchdown	2 + 5 Cert.	5
(b) Orchardgrass:		
Pennlate	3	6

AMENDATORY SECTION (Amending Order 1930,
 filed 5/22/87)

WAC 16-316-815 OTHER CLOVER VARIE-
 TIES. Following are the other clover varieties eligible
 and the certification scheme for each:

Streaker*
 Nezpar**
 All*Star**
 Dandy*
 Delray*
 Friend**pvpV
 Goalie*
 NK 200**
 Pennfine*
 Ranger**
 Target*
 89001*

Fults*

Clair*

Climax*

Hokuo*

Hokusen*

Kempus*

Kunpu*

Nosappu*

Promesse*

Senpoku*

Whitmar Beardless**

Secar Bluebunch**

Fairway Crested*

Ruff Crested*

Nordan Crested**

Ephraim ((Rhizomatous)) Crest-

Greenar

Intermediate**

Oahe Intermediate*

Tegmar Intermediate*

((Siberian**))

Greenleaf Pubescent*

Luna Pubescent**

Topar Pubescent**

P-27 Siberian**

Sodar Streambank**

Critana Thickspike**

Alkar Tall**

Magnar**

Bozoisky Select**

White Clover: Star*
 Aran**pvpV
 Barbian*

Ranger**
 Riley*
 Saranac*
 Saranac AR*pvpV
 Shenandoah*
 Shield*
 Sparta*
 Spredor 2*
 Summit*
 Sure*
 Sverre*
 SX-217*
 SX-418*
 Trumpetor*
 Turbo*
 Ultra*
 Vernal*
 Vancor*
 Vernema*
 Vista*
 WL-220*
 Weevlchek*
 WL-221*
 WL-225*pvpV
 WL-312*
 WL-313*
 WL-315*pvpV
 WL-316*pvpV
 WL-318*
 WL-320**pvpV
 Wrangler*

AMENDATORY SECTION (Amending Order 2005, filed 5/22/89)

WAC 16-316-820 ALFALFA VARIETIES ELIGIBLE. (1) Following are the alfalfa varieties eligible and the certification scheme for each:

Agate*
 Anchor*
 Anstar*
 Answer*
 Aquarius*
 Apollo II*
 Armor*
 Arrow*
 Atlas*
 Atra-55*
 Baker*pvpV
 Big Ten*
 Blazer*
 Centurion*
 Challenger*
 Chief**
 Cimarron*
Cimarron VR*
 Classic*
 Comondor*
 Crown*
 Crown II*
Crusader**
 DK-125*
 DK-135*
 Drummor*
 Eagle*
 Elevation*
 Endure*
 ((~~Excalibur*~~))
Excalibur*
 Gladiator*
 G-2815*
 G-7730*
 GH-737**
 Hi-Phy*
 Honeoye*pvpV
 Iroquois*
 Julius*
 Legend*
 Magnum III*
 Maxim*
 Mesilla**
 Mohawk*
 Oneida*pvpV
 Oneida VR*
 Peak*
 Perry*
 Phytor*
 Polar II*
 Preserve*
 Primal*

88*
 120*
 123*
 130*
 521*
 520*
 526*
 530*
 531*
 532*
 581*
 5262*
 5432*
 5373*
 5444*
 624*
 629*

(2) Variety restrictions.

	NO. OF SEED HARVESTS			
	Breeder	Foundation	Registered	Certified
Answer		2		5
Apollo II				3
Baker	2	3		6
Blazer		3		
Challenger	2	3		5
Chief		3	3	5
Crusader		3	3	5
Drummor	2	3		5
G-7730		3		5
GH 737		3	3	5
Honeoye		3		6
Iroquois		3		6

	NO. OF SEED HARVESTS			
	Breeder	Foundation	Registered	Certified
Oneida		3		6
Peak		3		
Perry	2	3		6
Preserve	2	3		5
Polar II	2	3		5
Saranac		3		6
Saranac AR		3		6
Spredor 2	2	3		5
Trumpetor	2	3		5
Vancor	2	3		5
Vernema		4		6
WL-221		3		
WL-225		3	3	5
WL-313		3		
WL-315		3		5
WL-320		3	3	5
WL-316		3		5
Wrangler				6
120		3		
123		2		4
130		3		5
526		3		5

WSR 90-12-099
PROPOSED RULES
DEPARTMENT OF WILDLIFE
 [Filed June 5, 1990, 3:26 p.m.]

Original Notice.

Title of Rule: Amending WAC 232-12-227 Hunter education training program requirements.

Purpose: The purpose of this regulation is to establish rules for issuing licenses. Any person under the age of 18 must provide proof they have successfully completed an approved hunter education course to obtain a license to hunt. The regulation specifies the form of information required to be provided by juvenile applicants for a hunting license. Currently juvenile hunters must show their hunter education certificate each year when purchasing a hunting license. The agency hunter education staff issues approximately 1,500 duplicate certificates each year, the majority of which are issued during the months of July through September. The proposed change would allow juvenile hunters to purchase a hunting license by showing either a valid hunter education certificate or a Washington hunting license for the previous year containing the hunter education certificate number issued to that person. This change would eliminate an unnecessary burden and inconvenience to agency staff, vendors and license applicants.

Statutory Authority for Adoption: RCW 77.32.050 and 77.32.070.

Statute Being Implemented: RCW 77.32.040 and 77.32.070.

Summary: See Purpose above.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting: Lee Smith, Administrative Regulations Officer, Olympia, (206) 586-6212; Implementation: Jenene Fenton, AD, Management Services, Olympia, (206) 753-5720; and Enforcement: Dan Wyckoff, AD, Wildlife Enforcement Division, Olympia, (206) 753-5740.

Name of Proponent: Washington Wildlife Commission, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: See Purpose above.

Proposal Changes the Following Existing Rules: It amends it.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Towne Plaza, North 7th Street and East Yakima Avenue, Yakima, Washington 98901, on August 4, 1990, at 8:00 a.m.

Submit Written Comments to: Lee S. Smith, 600 Capitol Way North, Olympia, WA 98501-1091, by July 25, 1990.

Date of Intended Adoption: August 4, 1990.

June 5, 1990

Lee S. Smith

Administrative Regulations Officer

AMENDATORY SECTION (Amending Order 260, filed 7/25/85)

WAC 232-12-227 HUNTER EDUCATION TRAINING PROGRAM REQUIREMENTS. (1) The director may designate a state coordinator for the purpose of administering the hunter education program. The state coordinator shall be responsible for the certification of volunteer instructors and the development of instructional materials, training aids, operating policies and procedures necessary to comply with the provisions of this section and RCW 77.32.155.

(2) It is unlawful for any person under the age of eighteen to obtain a hunting license in the state of Washington without having completed a department-approved course involving at least ten hours of instruction in conservation, safety and sportsmanship.

(3) Upon satisfactory completion of these requirements, each student shall be issued a certificate of accreditation signed by an authorized instructor or the ((designated)) state coordinator.

(4) It is unlawful for a license dealer to issue a hunting license for a person under eighteen years of age unless a hunter education certificate or a Washington hunting license for the preceding year containing the hunter education certificate number issued to said person is presented at the time of purchase.

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

WSR 90-12-100
PROPOSED RULES
DEPARTMENT OF WILDLIFE
 [Filed June 5, 1990, 3:27 p.m.]

Original Notice.

Title of Rule: Adopting WAC 232-12-831 Hunting of game animals by the blind and the visually handicapped; and repealing WAC 232-12-827 Hunting of game animals by persons of disability.

Purpose: This regulation is intended to carry out the legislative policy to enhance access to public recreational opportunities for persons of disability codified in RCW 77.12.010 and 77.32.237. This regulation is also intended to carry out the legislative policy to encourage and enable the blind and visually handicapped to participate

fully in social life of the state codified in RCW 70.84-.010 and 74.18.010. This regulation will enhance the opportunity of the blind and visually handicapped to participate in hunting of game animals. Persons of disability are defined and assistance by nondisabled companions for holders of a disabled hunter permit is provided.

Statutory Authority for Adoption: RCW 77.12.010 and 77.32.237.

Statute Being Implemented: RCW 77.12.010 and 77.32.237.

Summary: See Purpose above.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting: Lee S. Smith, Administrative Regulations Officer, Olympia, (206) 586-6212; Implementation: Rich Poelker, Governmental and External Affairs, Olympia, (206) 753-2549; and Enforcement: Dan Wyckoff, AD, Wildlife Enforcement Division, Olympia, (206) 753-5740.

Name of Proponent: Washington Wildlife Commission, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: See Purpose above.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Towne Plaza, North 7th Street and East Yakima Avenue, Yakima, Washington 98901, on August 4, 1990, at 8:00 a.m.

Submit Written Comments to: Lee S. Smith, 600 Capitol Way North, Olympia, WA 98501-1091, by July 25, 1990.

Date of Intended Adoption: August 4, 1990.

June 5, 1990

Lee S. Smith

Administrative Regulations Officer

NEW SECTION

WAC 232-12-831 HUNTING OF GAME ANIMALS BY THE BLIND AND THE VISUALLY HANDICAPPED. (1) This regulation is intended to carry out the legislative policy of this state to enhance the hunting opportunities of persons of disability.

(2) As used in this section, blind or visually handicapped person means a person who has no vision or whose vision with corrective lenses is so defective as to prevent the performance of ordinary activities for which eyesight is essential.

(3) Disabled hunter permit. The director may issue a disabled hunter permit to any person of disability who applies to the department and presents such evidence as the director may accept showing that the applicant is a person of disability. For purposes of this section, a blind or visually handicapped person is a person of disability.

(4) Permitted and prohibited activities:

(a) A blind or visually handicapped hunter who possesses a disabled hunter permit issued by the director as well as all other required licenses, tags, and permits, is authorized to designate a nondisabled hunter to accompany him or her while hunting deer for the purpose of assisting him or her in killing, tagging and retrieval of a legal deer.

(b) A nondisabled licensed hunter may accompany a blind or visually handicapped hunter for the purpose of assisting in killing, tagging and retrieving a legal deer.

(c) A nondisabled hunter, while in the company of a disabled hunter, may shoot, tag and retrieve a deer for that disabled hunter under this section provided that disabled hunter is blind or visually handicapped, that disabled hunter has designated the nondisabled hunter to

assist them while hunting, that disabled hunter has in possession a disabled hunter permit issued by the director as well as all other required licenses, tags and permits for the established season, and, the weapon used is appropriate for the established season.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 232-12-827 Hunting of game animals by persons of disability.

WSR 90-12-101 PROPOSED RULES DEPARTMENT OF WILDLIFE

[Filed June 5, 1990, 3:28 p.m.]

Original Notice.

Title of Rule: Adopting WAC 232-28-414 1990 September Canada goose season for portions of Clark, Cowlitz, Pacific and Wahkiakum counties.

Purpose: To establish the 1990 September Canada goose season in southwestern Washington.

Statutory Authority for Adoption: RCW 77.12.040 and 77.04.055.

Statute Being Implemented: RCW 77.12.040 and 77.04.055.

Summary: This rule establishes the 1990 September Canada goose season in southwestern Washington to allow for hunting of harvestable surplus and provide recreational opportunity.

Reasons Supporting Proposal: Northwestern Oregon and southwestern Washington have experienced a major buildup in wintering Canada goose numbers since the early 1970s. This area provides migration and/or wintering habitat for seven Canada goose subspecies, including the endangered Aleutian Canada goose, the protected cackling Canada goose, and the dusky Canada goose (which has declined following the 1964 Alaska earthquake). During the 1980s, large increases were seen in the numbers of Taverner and western Canada geese which both intermix with other subspecies on the wintering grounds. The area is now wintering over twice the number of geese compared to the early 1970s. Harvest regulations have been severely restricted since 1984, primarily because of concern about the dusky Canada goose. Since identification of subspecies on the wing is difficult, restrictions have been applied to all subspecies. These restrictions, combined with improved nesting conditions for western Canada geese, have resulted in large increases in resident Canada goose numbers during the past six years. Restrictive season regulations have sharply limited the use of hunting as a tool to assist with alleviation of growing agricultural damage complaints. Agricultural damage complaints have particularly increased along the lower Columbia River, and recently damage has occurred as early as August. This season should reduce agricultural damage complaints, reduce a growing resident goose population, and provide recreational opportunity.

Name of Agency Personnel Responsible for Drafting and Implementation: Tom Juelson, AD, Wildlife Management Division, Olympia, (206) 753-5728; and Enforcement: Dan Wyckoff, AD, Wildlife Enforcement Division, Olympia, (206) 753-5740.

Name of Proponent: Washington Wildlife Commission, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: See Summary above.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Best Western Airport Executel, 20717 Pacific Highway South, Seattle, WA 98188, on July 20, 1990, at 4:00 p.m.

Submit Written Comments to: Lee S. Smith, 600 Capitol Way North, Olympia, WA 98501-1091, by July 10, 1990.

Date of Intended Adoption: July 20, 1990.

June 5, 1990

Lee S. Smith

Administrative Regulations Officer

Title of Rule: WAC 296-14-970 Worker may review and/or receive his/her claim file.

Purpose: To allow a worker to review or receive his/her claim file.

Statutory Authority for Adoption: RCW 51.28.070.

Statute Being Implemented: RCW 51.28.070.

Summary: Specifies that a worker may review and/or receive his/her claim file when the director determines, based upon criteria, that release of the file is in the worker's interest.

Reasons Supporting Proposal: Adoption of WAC 296-14-970 will assist the department in administration of statutory change enacted by the 1990 legislature. Prior to the 1990 amendment to RCW 51.28.070, a worker was not allowed to review or receive his or her claim file. Many times a worker would circumvent the law by designating a representative to receive his or her claim file, who would then share the information with the worker. The rule will allow workers to review and/or receive his or her claim file without designating a representative. The director, in some cases, may determine that release of claim information is not in the interest of the worker. In those cases, the request will be denied by the department.

Name of Agency Personnel Responsible for Drafting: Marie E. Myerchin-Redifer, HC 243, Olympia, 753-2598; Implementation and Enforcement: Robert L. McCallister, HC 281, Olympia, 753-4173.

Name of Proponent: Department of Labor and Industries, state of Washington, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed rule establishes criteria when release of the claim file may not be in the interest of the worker. The director may deny the release of the claim file, in whole or in part, when release of information in the file including, but not limited to, psychological, mental health, and/or physical treatment records may not be in the interest of the worker. Criteria for denying release of the claim file to the worker: Medical opinion, or other documented information, indicates the worker is a danger to himself; and medical opinion, or other documented information, indicates the worker is a danger to others. Upon enactment of the amendment, June 7, 1990, which allows the release of claim files to workers, the department anticipates a large number of claim file requests from workers. The majority of the requests will be honored. If a request should fall within the criteria established by rule, the requests will be denied.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

The department has considered whether this rule is subject to the Regulatory Fairness Act and has determined that it is not according to RCW 19.85.030 and 19.85.060 because the rule, adopted pursuant to RCW 51.28.070 will not have an economic impact. The department will release microfiche copies of the file at no cost to the worker.

NEW SECTION

WAC 232-28-414 1990 SEPTEMBER CANADA GOOSE SEASON FOR PORTIONS OF CLARK, COWLITZ, PACIFIC, AND WAHIAKUM COUNTIES. Season Dates: September 1-10, 1990 (both dates inclusive)

Daily Bag Limit: 2 western Canada geese

Possession Limit: 4 western Canada geese

Open Area: Those portions of Clark, Cowlitz, Pacific, and Wahkiakum counties within the following boundary: Beginning at the Washington-Oregon border on the Interstate 5 bridge near Vancouver, Washington, north on Interstate 5 to Kelso, west on Highway 4 from Kelso to Highway 401, south and west on Highway 401 to the Washington-Oregon border on the Astoria-Megler bridge, upstream along the Washington-Oregon border to the point of origin.

Permit Requirements: All hunters participating in this season are required to obtain a free permit from a Washington Department of Wildlife office. With the permit, hunters will receive a hunter activity and harvest report form. Return of the harvest report form is mandatory. Those hunters not returning the harvest report form to the Department of Wildlife by December 31, 1990 will be ineligible to participate in the 1991 September Canada goose season.

WSR 90-12-102

NOTICE OF PUBLIC MEETINGS EASTERN WASHINGTON UNIVERSITY

[Memorandum—June 5, 1990]

BOARD OF TRUSTEES

June 4, 1990, 7:00 p.m.

Spokane Center, Room 222

WSR 90-12-103

PROPOSED RULES DEPARTMENT OF LABOR AND INDUSTRIES

[Filed June 6, 1990, 8:05 a.m.]

Original Notice.

Hearing Location: Auditorium, 1st Floor, General Administration Building, Olympia, Washington, on July 23, 1990, at 1:30 p.m.

Submit Written Comments to: Marie E. Myerchin-Redifer, General Administration Building, Mailstop HC 243, Olympia, Washington 98504, by July 23, 1990.

Date of Intended Adoption: August 23, 1990.

June 6, 1990
Joseph A. Dear
Director

NEW SECTION

WAC 296-14-970 WORKERS MAY REVIEW AND/OR RECEIVE HIS/HER CLAIM FILE. (1) Pursuant to RCW 51.28.070, workers may be allowed to review and/or receive their claim file(s) upon written request to the department or self-insurer. The written request should contain the worker's name, claim number, signature, and the information requested.

(2) This provision will apply to all claims regardless of the date of injury.

(3) The director may deny the release of the file, in whole or in part, when release of information in the file including, but not limited to, psychological, mental health, and/or physical treatment records may not be in the interest of the worker.

(4) Criteria for denying release of the claim file to the worker:

(a) Medical opinion or other documented information indicates the worker is a danger to himself.

(b) Medical opinion or other documented information indicates the worker is a danger to others.

(5) If the self-insured employer determines that release of the claim file, in whole or in part, may not be in the worker's interest, they must submit a request for denial and a complete copy of the claim file to the self-insurance section within ten working days after receipt of the request from the worker.

(6) If the request for the claim file, in whole or in part is denied, a written notice of denial will be mailed to the worker. The worker may appeal the denial to the board of industrial insurance appeals.

**WSR 90-12-104
PROPOSED RULES
DEPARTMENT OF
LABOR AND INDUSTRIES**

[Filed June 6, 1990, 8:06 a.m.]

Original Notice.

Title of Rule: Chapter 296-46 WAC, Installing electric wires and equipment; and chapter 296-401 WAC, Certification of competency for journeyman electricians.

Purpose: Proposed amendments to WAC 296-46-910 are changes made to cover the increasing costs of making electrical inspections; proposed amendments to WAC 296-46-915 are changes made to cover the increasing costs of electrical contractor licensing, electrical administrator certification and document copy fees; proposed amendments to WAC 296-401-175 are changes made to cover the increasing costs of electrician and electrical trainee certification.

Statutory Authority for Adoption: WAC 296-46-910: RCW 19.28.060 and 19.28.210(6); WAC 296-46-915: RCW 19.28.060, 19.28.120(2) and 19.28.510(2); and WAC 296-401-175: RCW 19.28.060, 19.28.600, 19.28.510(2), 19.28.540(2) and 19.28.550.

Statute Being Implemented: Chapter 19.28 RCW.

Summary: Proposed amendments to WAC 296-46-910 are changes to increase all of the electrical inspection fees; proposed amendments to WAC 296-46-915 are changes increasing the fees for electrical contractor licenses, electrical administrator application, original certificate, renewal and late renewal certificate fees. The amendments will also increase the transfer of administrator and document copy fees; and proposed amendments to WAC 296-401-175 are changes increasing the fees for electrician application, renewal and late renewal fees. Fees will also be increased for electrical training certificate applications.

Reasons Supporting Proposal: To cover the increased costs of inspection activity, electrician and trainee certification, electrical contractor licensing and copy fees.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Roland LeVasseur, 805 Plum Street S.E., Olympia, 753-2330.

Name of Proponent: Department of Labor and Industries, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: This rule sets increased fees for electrical inspections, revises original and renewal licensing and certification fees, raises copy fees and raises fees for renewal and update of training certificates. The anticipated effect of this change is to cover the increased costs. As an example, a basic inspection fee would increase from \$40 to \$44 and the renewal of an electrician certificate would increase from \$24 to \$26.

Proposal Changes the Following Existing Rules: This proposal changes the existing rules by increasing the fees for licensing, certification and renewal of electrical contractors, administrators, electricians and trainees. It also increases the fees for document copies updates on training certificates and transfer of administrator certificates.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

The department, based on guidelines established by the Washington Businesses Assistance Center under the Regulatory Fairness Act, has determined that the proposed rule amendments will have a minor or negligible impact on small business. Specifically, the proposed rule amendments do not create an economic burden for any regulated businesses. The fee increases will increase by an average of \$4.525 per permit category; the licenses exams and copy fees will increase by an average of \$10.714. As an example, a basic inspection fee would increase from \$40 to \$44 and the renewal of an electrician certificate would increase from \$24 to \$26. Approximately 2,000 contractors will be affected by the proposed fee increases. 107,793 electrical permits were sold in calendar year 1989. The proposed fee increase will increase permit fees by \$243.88 per contractor, annually. The proposed fee increases represent a small cost of compliance relative the net income (profit) of the smallest businesses affected. Block permits were not considered because they are not a common occurrence and are used exclusively by large industrial contractors. There is no reason to believe a drop off in the number of inspections will occur because of the increase in fees.

Hearing Location: July 10, at 1:00 - 4:00 p.m., Spokane Community College, North 1810 Greene Street, Lair Student Union Building, Sasquatch Room; and on July 11, 1990, at 1:30 - 5:00 p.m., General Administration Building, 1st Floor Auditorium.

Submit Written Comments to: Joseph Brewer, Assistant Director, B&CSIS, Plum Street, by July 11, 1990.

Date of Intended Adoption: August 10, 1990.

June 6, 1990
Joseph A. Dear
Director

AMENDATORY SECTION (Amending Order 87-07, filed 5/1/87)

WAC 296-46-910 INSPECTION FEES. To calculate the inspection fees, the amperage is based on the larger of the conductor ampacity or the ((over current)) overcurrent device.

(1) The fee for inspection of the installation, alteration, or maintenance of the following service(s), or feeder(s), is:

	Residential Services Column A	Commercial/ Industrial Column B	Commercial/ Industrial Column C	Additional Feeders in Commercial/ Industrial Column E
1 - 100 AMP	\$ 30	\$ 40	\$ 10	
101 - 200 AMP	\$ 40	\$ 60	\$ 15	
201 - 400 AMP	\$ 55	\$100	\$ 25	
401 - 600 AMP	\$ 70	\$140	\$ 35	
601 - 1000 AMP	\$ 85	\$180	\$ 45	
1001 - Over AMP	\$100	\$220	\$ 55	
Two family dwelling Service	\$ 50			
Temporary Construction Service				\$ 25))

	Residential Services Column A	Commercial/ Industrial Column B	Commercial/ Industrial Column C	Additional Feeders in Commercial/ Industrial Column E
1 - 100 AMP	\$ 33	\$ 44	\$ 11	
101 - 200 AMP	\$ 44	\$ 55	\$ 17	
201 - 400 AMP	\$ 60	\$110	\$ 28	
401 - 600 AMP	\$ 77	\$154	\$ 39	
601 - 1000 AMP	\$ 94	\$198	\$ 50	
1001 - Over AMP	\$110	\$242	\$ 60	
Two family dwelling Service	\$ 55			
Temporary Construction Service				\$ 20

No additional fee for inspection of branch circuits when included on the service/feeder permit.

- Column A - Residential.
 - Single family residential services.
 - Multi-family residential services.
- Column B - Commercial and industrial.
 - Each service or the first feeder when the service is not being installed, increased or altered.
 - Feeders that terminate in a separate building.
 - Secondaries of transformers that have a capacity greater than 600 VA.
 - Each service or feeder that is over 600 volts.
- Column C - Additional feeders in commercial and industrial facilities.
 - Each feeder inspected with a service or feeder in Column B ((at the same time and)) on the same permit.

(2) The following fees shall be provided for the inspection of each of the following units:

	Single/first Unit Column A	Additional Units Column B
a. Mobile home, modular home, or commercial coach service. (200 Amp. Max.)	((25 ----- 5*)) 28	7*
b. Mobile home feeder.	((25 ----- 5*)) 28	7*
c. Each lot for a recreational vehicle.	((25 ----- 5)) 28	7
d. Berth at a marina or dock.	((25 ----- 5)) 28	7
e. Yard pole meter loops or similar isolated metering installations.	((25 ----- 5)) 28	7
f. Outbuilding(s) on residential property	((25 ----- 5)) 28	7
g. Motors 10 HP or larger	((25 ----- 5)) 28	7
h. Multi-family dwelling feeders	((25 ----- 5)) 28	7
i. Signs	((25 ----- 5)) 28	7
j. Low voltage temperature control circuits per building story or system	((25 ----- 5)) 28	7

Column A The fee for inspection of a single unit or the first of several units when a service or feeder in (1)(A) or (1)(B) is not installed.

Column B The fee for inspection of additional units when they are inspected at the same time, at the same location and on the same permit as a unit in Column (1)(A), (1)(B), or (2)(A).

*Total fee for inspection of one service and feeder for a mobile home when they are inspected at the same time is ((~~\$30.00~~)) \$35.00.

The above fees are in addition to master-meter, mobile home park, recreational vehicle park, marina shore services and/or the main service(s).

(3) The fee for new circuits, circuit extensions, and circuit alterations where the service or feeder is not modified, shall be ((~~\$25~~)) \$28 for one to four circuits inspected at the same time on the same premises under a single permit plus ((~~\$1~~)) \$2 for each additional circuit. The total fee shall be no greater than the fee for a new service ((of like ampacity)) for the building.

(4) Low voltage systems. The fee for inspection of residential, burglar or fire alarm systems, and other Class 2, low voltage systems shall be ((~~\$25~~)) \$28. For commercial or industrial, Class 2, low voltage system installations, the minimum fee shall be ((~~\$25~~)) \$28 for the control panel and up to four circuits or zones plus ((~~\$5~~)) \$7 for each additional circuit (zone).

(5) In addition to the service and feeder installation fees, the fee for inspecting each electrically driven irrigation machine is \$50 including tower and drive motors.

(6) The fee for emergency, standby, and resource recovery generators up to 50 KVA is ((~~\$25~~)) \$28. The fee for a generator installation larger than 50 KVA, or that is the main source of power, is that ((for the applicable service)) in the appropriate Column B or C in subsection (1) of this section.

(7) A firm, corporation or other entity which has a regularly employed electrical maintenance staff which is exempted from the requirement to have an electrician certificate of competency by RCW 19.28.610, may choose to purchase an annual electrical work permit rather than a work permit for each installation or alteration in accordance with this section. A separate fee shall be provided for each plant location or complex. The following fee will entitle the purchaser to the number of inspections shown for a one year period after the date of purchase of an electrical work permit.

	FEE	INSPECTIONS
1 thru 3 plant electricians	(\$1,300) 1,430 per year (\$2,600)	12
4 thru 6 plant electricians	\$2,860 per year (\$3,900)	24
7 thru 12 plant electricians	\$4,290 per year (\$5,200)	36
13 thru 25 plant electricians	\$5,720 per year (\$6,500)	52
more than 25 plant electricians	\$7,150 per year	52

(8) Fees for carnival electrical inspections.

a. Preseason or first field inspection per year, (~~(\$40 per hour)~~) \$15 per ride and generator truck and \$2 per remote distribution equipment, concession or gaming show with a minimum fee of \$50. Amusement rides shall be set up prior to inspection.

b. ~~(The first field inspection of each ride, concession, or generator which has not had a preseason inspection shall be \$10.~~

c.) For subsequent inspections, the fee shall be ~~((\$40))~~ \$50 for the first ten rides, concessions, ~~((or))~~ generators, remote distribution equipment or gaming shows and \$2 each for all additional rides, concessions, ~~((and))~~ generators, remote distribution equipment and gaming shows. If a ride, concession, ~~((or))~~ generator, remote distribution equipment or gaming show has no insignia of inspection for the calendar year, the fee ~~((for that ride, concession, or generator))~~ shall be that charged in ~~((b.))~~ a. of this subsection.

(9) Trip fees. A fee ~~((of \$25))~~ shall be paid before approval of the installation if the following services are necessary:

a. \$56 for requests to inspect existing installations. ~~((After the first one-half hour, an additional \$25 fee shall be provided for each one-half hour of inspection time.))~~

b. \$28 for trips to inspect when the permit submitter has given notice to the ~~((inspector))~~ department that the work is ready for inspection when it is not.

c. \$28 where an additional inspection trip is necessary because the submitter has given an erroneous or incomplete address.

d. \$28 for more than one additional inspection trip per permit to inspect corrections ~~((required by the inspector as a result of))~~ or for repeated carelessness ~~((or))~~, neglect, or ~~((for))~~ improperly ~~((responding to a corrective notice))~~ installing electrical conductors or equipment.

e. \$28 for each trip necessary to remove a noncompliance citation from the jobsite, posted because unlicensed electrical contractors or uncertified electricians or trainees were working on the jobsite.

f. ~~((When))~~ \$28 per day where corrections have not been made in the prescribed time, unless an exception has been requested and granted.

(10) Double fees. A double inspection fee shall be charged for:

a. Installations that are covered or concealed before inspection;

b. Failure to obtain the electrical work permit prior to beginning the installation or alteration. Exception - electrical work permits for emergency repairs to existing electrical systems shall be obtained no later than the next business day.

(11) On jobs requiring partial or progress inspections, "one" inspection of one half hour duration is allowed per ~~(((\$25))~~ \$28 of fee.

(12) The fee for a plan review request pursuant to WAC 296-46-140 (1) and (2) is thirty-five percent of the electrical work permit fee as determined by WAC 296-46-495, plus a plans submission fee of ~~(((\$35))~~ \$50. The fee for review of ~~((electrical plans voluntarily requested pursuant to WAC 296-46-140(4) and for))~~ supplemental submissions of plans is ~~(((\$30))~~ \$40 per hour or a fraction of an hour.

AMENDATORY SECTION (Amending Order 86-23, filed 8/29/86)

WAC 296-46-915 ELECTRICAL CONTRACTOR LICENSE, ADMINISTRATOR CERTIFICATE AND EXAMINATION, AND COPY FEES.

- (1) General or specialty contractor license (per twenty-four month period) ~~(((\$72))~~ \$80
- (2) Administrator certificate examination application (nonrefundable) ~~(((\$20))~~ \$25
- (3) Administrator original certificate ~~((examination))~~ (submitted with application) ~~(((\$50))~~ \$40

- (4) Administrator certificate ~~((or))~~ renewal (per twenty-four month period) ~~(((\$40))~~ \$52
- (5) Late renewal of administrator certificate (per twenty-four month period) ~~(((\$96))~~ \$104
- (6) Transfer of administrator designation within 10 days ~~(((\$10))~~ \$20
after 10 days \$50
- (7) Certified copy of each document (maximum ~~(((\$24))~~ \$44 per file)
\$20 first document
\$2 each additional document ~~(((\$2))~~

AMENDATORY SECTION (Amending Order 86-23, filed 8/29/86)

WAC 296-401-175 JOURNEYMAN, SPECIALTY AND TRAINEE CERTIFICATE, AND EXAMINATION FEES.

- (1) Journeyman or specialty electrician certificate renewal (per 24-month period) - ~~(((\$24))~~ \$ 26
- (2) Late renewal of journeyman or specialty electrician certificate (per 24-month period) - ~~(((\$48))~~ \$ 52
- (3) Journeyman or specialty electrician examination application (nonrefundable) - ~~(((\$20))~~ \$ 25
- (4) Journeyman or specialty electrician ~~((examination))~~ original certificate (submitted with application) - ~~(((\$30))~~ \$ 20
- (5) Trainee certificate (expires one year after purchase) - ~~(((\$12))~~ \$ 15
- (6) Trainee certificate renewal or update of hours - \$ 20

**WSR 90-12-105
EMERGENCY RULES
DEPARTMENT OF
LABOR AND INDUSTRIES**
[Filed June 6, 1990, 8:07 a.m.]

Date of Adoption: June 6, 1990.

Purpose: To allow a worker to review and/or receive his/her claim file.

Statutory Authority for Adoption: House Bill 2485 and RCW 51.28.070.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: An emergency WAC needs to be filed because the law becomes effective June 7, 1990.

Effective Date of Rule: Immediately.

June 6, 1990
Joseph A. Dear
Director

NEW SECTION

WAC 296-14-970 WORKERS MAY REVIEW AND/OR RECEIVE HIS/HER CLAIM FILE. (1)
Pursuant to RCW 51.28.070, workers may be allowed to

review and/or receive their claim file(s) upon written request to the department or self-insurer. The written request should contain the worker's name, claim number, signature, and the information requested.

(2) This provision will apply to all claims regardless of the date of injury.

(3) The director may deny the release of the file, in whole or in part, when release of information in the file including, but not limited to, psychological, mental health, and/or physical treatment records may not be in the interest of the worker.

(4) Criteria for denying release of the claim file to the worker:

(a) Medical opinion or other documented information indicates the worker is a danger to himself.

(b) Medical opinion or other documented information indicates the worker is a danger to others.

(5) If the self-insured employer determines that release of the claim file, in whole or in part, may not be in the worker's interest, they must submit a request for denial and a complete copy of the claim file to the self-insurance section within ten working days after receipt of the request from the worker.

(6) If the request for the claim file, in whole or in part is denied, a written notice of denial will be mailed to the worker. The worker may appeal the denial to the board of industrial insurance appeals.

WSR 90-12-106

PROPOSED RULES

DEPARTMENT OF

LABOR AND INDUSTRIES

[Order 90-10—Filed June 6, 1990, 8:10 a.m.]

Original Notice.

Title of Rule: Chapter 296-36 WAC, Safety standards for compressed air work; chapter 296-62 WAC, General occupational health standards; chapter 296-155 WAC, Safety standards for construction work; and chapter 296-305 WAC, Safety standards for firefighters.

Purpose: Proposed amendments to WAC 296-36-145 Regulation of pressure and air quality in working areas—Air quality in working areas, 296-36-170 Stairs and ladders, 296-36-175 Lighting and equipment, 296-36-180 Signals and means of communication and 296-36-210 Medical supervision and medical and first-aid facilities—Medical supervision, are state-initiated housekeeping changes to correct references to chapter 296-70 WAC which has been repealed; and incorporate a section on signals and means of communication that should have been included when WAC 296-70-150 was repealed; proposed amendments to WAC 296-62-07521 Lead, are federal-initiated changes to be "identical" to the federal final rule published in Federal Register Volume 55, Number 20, dated January 30, 1990; proposed amendments to WAC 296-62-07713 Methods of compliance, are federal-initiated changes to comply with the federal final rule published in Federal Register Volume 54, Number 243, dated December 20, 1989; proposed new sections WAC 296-62-400 Occupational exposure

to hazardous chemicals in laboratories, 296-62-40001 Scope and application, 296-62-40003 Definitions applicable to all sections of this chapter, 296-62-40005 Permissible exposure limits, 296-62-40007 Employee exposure determination, 296-62-40009 Chemical hygiene plan—General, 296-62-40011 Employee information and training, 296-62-40013 Medical consultation and medical examinations, 296-62-40015 Hazard identification, 296-62-40017 Use of respirators, 296-62-40019 Recordkeeping, 296-62-40021 Start-up date, 296-62-40023 Appendices, 296-62-40025 Appendix A—National research council recommendations concerning chemical hygiene in laboratories (nonmandatory) and 296-62-40027 Appendix B—References (nonmandatory), are federal-initiated changes to be at-least-as-effective-as the federal final rule published in Federal Register Volume 55, Number 21, dated January 31, 1990, and OSHA Instruction STP 2-1.159, dated April 23, 1990; proposed amendments to WAC 296-155-367 Masonry saws, 296-155-680 General provisions, 296-155-682 Requirements for equipment and tools, 296-155-691 Precast concrete and tilt-up operations and 296-155-697 Requirements for masonry construction, are federal-initiated changes to be at-least-as-effective-as the federal final rule published in Federal Register Volume 53, Number 116, dated June 16, 1988; proposed amendments to WAC 296-155-48531 Vehicle mounted elevating and rotating aerial devices, are state-initiated changes necessary due to the repeal of WAC 296-155-580 Aerial lifts; the proposal to repeal WAC 296-155-580, is a state-initiated change repealing an obsolete section; and proposed amendment to WAC 296-305-015, is a state-initiated housekeeping change.

Statutory Authority for Adoption: Chapter 49.17 RCW.

Statute Being Implemented: RCW 49.17.040, 49.17-.050 and 49.17.060.

Summary: State-initiated housekeeping changes are proposed to WAC 296-36-145, 296-36-170, 296-36-175, 296-36-180 and 296-36-210 to correct WAC references; state-initiated changes to amend WAC 296-155-48531, to incorporate applicable information from WAC 296-155-580 and repeal WAC 296-155-580 because it is obsolete; state-initiated housekeeping changes are proposed to WAC 296-305-015 to delete obsolete record-keeping requirements; federal-initiated changes are proposed to WAC 296-62-07521, 296-62-07713, 296-155-367, 296-155-680, 296-155-682, 296-155-691 and 296-155-697; and the following federal-initiated new sections are proposed WAC 296-62-400, 296-62-40001, 296-62-40003, 296-62-40005, 296-62-40007, 296-62-40009, 296-62-40011, 296-62-40013, 296-62-40015, 296-62-40017, 296-62-40019, 296-62-40021, 296-62-40023, 296-62-40025 and 296-62-40027.

Reasons Supporting Proposal: To ensure a safe and healthful workplace for all employees in Washington state.

Name of Agency Personnel Responsible for Drafting: Ray V. Wax, 805 Plum Street, Olympia, WA, 753-6381; Implementation and Enforcement: J.N. Kirchoff, 805 Plum Street, Olympia, WA, 753-6500.

Name of Proponent: Department of Labor and Industries, governmental.

Rule is necessary because of federal law, Federal Register Vol. 53, No. 116, dated June 16, 1988; Federal Register Vol. 54, No. 243, dated December 20, 1989; Federal Register Vol. 55, No. 20, dated January 30, 1990; and Federal Register Vol. 55, No. 21, dated January 31, 1990.

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 296-36-145, 296-36-170 and 296-36-175, are amended deleting the reference to chapter 296-70 WAC relating to tunnels, shafts and subways and references to chapters 296-62 and 296-155 WAC are added. WAC 296-36-180 is amended to incorporate a section on signals and means of communication that should have been included when WAC 296-70-150 was repealed. There are no new compliance requirements; WAC 296-62-07521 Lead, is amended because the federal rule finds the revised standard to be economically feasible for the nonferrous foundry industry. For small foundries, an engineering control level of 75 ug/m³ will be enforced. An extended compliance period of five years is required for nonferrous foundries allowing firms to phase in engineering controls; WAC 296-62-07713 (1)(g) relating to materials containing asbestos, is deleted. There are no new compliance requirements; new sections WAC 296-62-400, 296-62-40001, 296-62-40003, 296-62-40005, 296-62-40007, 296-62-40009, 296-62-40011, 296-62-40013, 296-62-40015, 296-62-40017, 296-62-40019, 296-62-40021, 296-62-40023, 296-62-40025 and 296-62-40027, are proposed to be at-least-as-effective-as the federal final rule. The new sections determine that laboratories typically differ from industrial operations in their use and handling of hazardous chemicals and that a different approach is warranted to protect workers. The standard applied to all laboratories that use hazardous chemicals in accordance with the definition of laboratory use and laboratory scale provided in the standard. The new sections also provide for employee training and information, medical consultation and examinations, hazard identification, respirator use and recordkeeping; WAC 296-155-367(1), relating to operating requirements is deleted and the requirement to incorporate a method for retaining blade fragments is added. There are no new compliance requirements; WAC 296-155-680(6), relating to construction loads is deleted and the requirement that all protruding reinforcing steel shall be guarded is added. This new compliance requirement is federally mandated and may have minimal impact on stakeholders; WAC 296-155-682, relating to masonry saws, is amended to delete the reference to ANSI A10.9-1983. There are no new compliance requirements; WAC 296-155-691, relating to lifting hardware is amended to require the capability of supporting at least five times the maximum intended load applied or transmitted to the lifting hardware. There are no new compliance requirements; WAC 296-155-697, relating to masonry saws, is amended to delete the reference to ANSI A10.9-1983. There are no new compliance requirements; WAC 296-155-48531, relating to vehicle mounted elevating and rotating aerial devices is amended to incorporate information from WAC 296-155-580

Aerial lifts, which is being repealed because it is obsolete. There are no new compliance requirements; and WAC 296-305-015 is amended to delete the requirement of the employer to report an accident or illness to the division of industrial safety and health, quarterly. There are no new compliance requirements.

Proposal Changes the Following Existing Rules: See Explanation of Rule above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Small Business Economic Impact Statement: The department has considered whether these rules are subject to the Regulatory Fairness Act and has determined that they are not for the following reasons: WAC 296-36-145, 296-36-170, 296-36-175, 296-36-180 and 296-36-210, are being adopted solely to make housekeeping changes, correcting WAC references to chapter 296-70 WAC which no longer exists and incorporate information which was repealed with chapter 296-70 WAC. These changes will not have an economic impact on small business as they do not increase compliance requirements. WAC 296-62-07521, 296-62-07713, 296-62-400, 296-62-40001, 296-62-40003, 296-62-40005, 296-62-40007, 296-62-40009, 296-62-40011, 296-62-40013, 296-62-40015, 296-62-40017, 296-62-40019, 296-62-40021, 296-62-40023, 296-62-40025, 296-62-40027, 296-155-367, 296-155-682, 296-155-691 and 296-155-697, are being adopted solely to conform or comply with federal laws and regulations; WAC 296-155-48531, is adopted to delete references to WAC 296-155-580, which is being repealed and include the requirements of ANSI 92.4. These changes will not have an economic impact on small business as they do not increase compliance requirements; and WAC 296-305-015 is being adopted solely to delete a reporting requirement that is inconsistent with the reporting requirements of chapter 296-27 WAC. This is a housekeeping change that has no economic impact on small business.

Hearing Location: General Administration Building, Olympia, Washington, on July 12, 1990, at 9:30 a.m.

Submit Written Comments to: Division of Industrial Safety and Health, J.N. Kirchoff, Assistant Director, by 5:00 p.m., July 12, 1990.

Date of Intended Adoption: August 13, 1990.

June 6, 1990
Joseph A. Dear
Director

AMENDATORY SECTION (Amending Rules (Part VII C), filed 12/28/62)

WAC 296-36-145 REGULATION OF PRESSURE AND AIR QUALITY IN WORKING AREAS—AIR QUALITY IN WORKING AREAS. (1) Ventilation. An automatic air quality monitoring system acceptable to the supervisor of the division of safety, department of labor and industries, shall be installed in the pressurized working chamber and shall at all times be maintained in proper working condition. The system shall provide continuous sampling and monitoring of the air and shall indicate by visual and audible alarm the presence of dangerous air contaminants in excess of the following:

Carbon monoxide	0.01%	100 ppm
Carbon dioxide	0.50%	5000 ppm
Oxides of nitrogen	0.0005%	5 ppm
Methane	0.25%	2500 ppm
Hydrogen sulphide	0.002%	20 ppm

The director in his discretion may change these concentrations to conform with good practices as recommended by the American Conference of Governmental Industrial Hygienists.

The system shall also indicate and give alarm at any time the oxygen content is less than 19.5 percent.

The system shall be so arranged that the visual and audible alarm will give warning in the working chamber and at the lock tender's station at the low pressure side of the locks.

In addition to the specific requirements contained in these standards of safety (~~the following rules contained in the safety standards for tunnels, shafts and subways~~) chapter 296-62 WAC shall apply ~~(:)~~ for rock dust and ventilation.

~~((WAC 296-70-070 Rock dust and WAC 296-70-080 Ventilation:))~~

(2) Protection against atmospheric containments: The ~~(following rules contained in the safety standards for tunnels, shafts and subways shall apply. WAC 296-70-090 Protection against atmospheric containment)~~ requirements of chapters 296-62 and 296-155 WAC, Part Q shall apply.

AMENDATORY SECTION (Amending Rules (Part XII), filed 12/28/62)

WAC 296-36-170 STAIRS AND LADDERS. The ~~(following rules contained in the safety standards for tunnels, shafts and subways shall apply. WAC 296-70-110)~~ requirements of chapter 296-155 WAC Parts K and J shall apply.

AMENDATORY SECTION (Amending Rules (Part XIII), filed 12/28/62)

WAC 296-36-175 LIGHTING AND POWER EQUIPMENT. (1) ~~(Type of installation:)~~ All lighting underground shall be by electricity. ~~(Lighting and power facilities shall comply in materials and installation practice with WAC 296-70-180 and 296-70-190, lighting and electrical equipment as contained in safety standards for tunnels, shafts and subways:)~~ (a) Lighting shall comply with chapter 296-155 WAC.

(b) Power equipment shall comply with chapter 296-155 WAC.

(2) Emergency lighting. The lighting circuits shall be connected to two independent sources of power supply. In addition to the lighting circuit, adequate and sufficient portable electric emergency lights shall be provided and maintained for immediate use. These shall be readily accessible to all employees working underground.

(3) Lamp sockets. The exterior of all lamp sockets shall be of non-metallic material and all sockets shall be of the weatherproof type.

(4) Location of lamps. Lamps shall be so placed that they cannot come into contact with combustible materials and so that a clear space is provided all around.

(5) Lamp guards. All lamps shall be protected with wire cage guards.

AMENDATORY SECTION (Amending Rules (Part XIV), filed 12/28/62)

WAC 296-36-180 ~~((SIGNAL CODES))~~ SIGNALS AND MEANS OF COMMUNICATION. ~~(Signal codes shall comply with WAC 296-70-150, signals and means of communication, of safety standards for tunnels, shafts and subways:)~~ (1) Effective and reliable signaling devices shall be maintained at all times to give instant communication between the bottom and top of shaft, and where considered necessary by the safety division, dual independent signal systems shall be installed.

(2) Special care shall be taken to keep the signaling apparatus in good order, and all proper precautions shall be taken to prevent electric signal and telephone wires from coming into contact with other electric conductors, whether insulated or not.

(3) Where it is necessary to use signals by means of bell or otherwise for hoisting or lowering, the following code shall be used:

Any code of signals used shall be printed and copies thereof shall be kept posted in a conspicuous place near entrances to work places and in such other places as may be necessary to bring them to the attention of all persons concerned.

1 bell:	Stop immediately if in motion.
2 bells:	Lower.
3-1 bells:	Hoisting men, run slowly.
3-2 bells:	Lowering men.
1-1 bells:	To hoist muck.

2-1-2 bells:	Release cage, skip, or bucket.
4 slow bells:	Blasting signal. (This is a caution signal and if the hoist operator is prepared to accept it he must acknowledge it by raising cage, skip or bucket a few feet then lowering it again. After accepting this signal, hoist operator must be prepared to hoist men away from blast as soon as signal 3-1 bells are given and must accept no other signal in the meantime.)
5 bells:	Water on or off.
6 bells:	Air on or off.
9 bells:	Danger signal (fire, accident or other danger), followed by station signal, calls cage, skip, or bucket to that station. This signal takes precedence over all others except an accepted blasting signal.

(4) Where tunnels are driven from shafts more than two hundred fifty feet deep, a telephone system shall be established and maintained, communicating with the surface at each such shaft, and with a station or stations readily and quickly accessible to the men at the working level.

AMENDATORY SECTION (Amending Rules (Part XIX A), filed 12/28/62)

WAC 296-36-210 MEDICAL SUPERVISION AND MEDICAL AND FIRST-AID FACILITIES—MEDICAL SUPERVISION. (1) Appointed physician. Where workmen are employed in compressed air, their employer shall make arrangements for their medical supervision by one or more licensed physicians trained in the physical requirements and the medical aspects of compressed air work and the treatment of decompression illness. The employer shall arrange for medical examination of all workmen employed in compressed air at a suitable place or places by the appointed physician in accordance with these regulations. The appointed physician or physicians shall be immediately available in case of emergency or accident. Each appointed physician shall be physically qualified to subject himself to a compressed air environment.

(2) Appointed physician's duties and responsibilities.

(a) General. All matters on the job pertaining to the health of employees, treatment on the job of illness and injuries, special first-aid and nursing personnel or assistants, lock attendants, and medical and first-aid equipment shall be under the supervision of the appointed physician.

(b) He shall make all required physical examinations.

(c) He shall make and sign all required reports of such examinations using the forms provided by the department of labor and industries.

(d) He shall make at least one inspection on the job every day of all treatment records and the required decompression record and he shall inspect or inquire into conditions which may constitute a potential hazard to the health of any employee.

(3) Certified medical attendant. There shall be on every job a certified medical attendant trained to the satisfaction of the appointed physician in administering first aid on compressed air jobs, and who shall be in attendance in the first-aid room while work in compressed air is going on and at such other times as the physician may direct. The medical attendant shall be in personal charge of the administration of first aid and such other duties as physician may direct. Under no circumstances shall female medical attendants be subjected to a compressed air environment.

(4) First-aid personnel.

(a) The superintendent and every foreman and at least one additional designated person on each shift below ground shall be trained to the satisfaction of the appointed physician in administering first aid.

(b) Where more than 10 but less than 50 men are employed per shift underground, there shall be at least 2 such additional designated trained persons on the job and available on call.

(c) Where more than 50 men are employed per shift underground, the designated trained personnel shall include all shift bosses and time keepers in addition to those required in subsection (b) above.

(d) All designated first-aid personnel shall have in their possession current first-aid certificates acceptable to the department of labor and industries.

(5) First-aid meetings. All designated first-aid personnel shall meet at least once in each 3 months or oftener if directed by the physician for further first-aid instruction by the physician.

(6) First-aid room and equipment. The employer shall provide a first-aid room properly heated and maintained within 100 yards of the principal entrance to the underground work. It shall be equipped with a first-aid kit, medical supplies and equipment consisting of not less than the minimum requirements listed in ~~((the Safety standards for tunnels, shafts and subways, WAC 296-70-030, "Minimum first-aid requirements" supplemented by special equipment and supplies deemed necessary by the appointed physician))~~ chapter 296-155 WAC, Part B-1.

(7) First-aid equipment underground. All the equipment and supplies which the appointed physician may deem necessary for first-aid underground shall be provided and maintained readily available in a suitable cabinet or cabinets. A list of the contents signed by the appointed physician shall be permanently attached to the inside of the cabinet door or cover. The cabinet shall be plainly marked with a red cross and the words "first aid."

In caissons, one such cabinet shall be conveniently located in the working chamber.

In tunnels where a bulkhead is installed, one such cabinet shall be located on each side of the bulkhead near the entrance to the man lock.

In tunnels having no bulkhead, one such cabinet shall be located within 100 yards of the working face.

AMENDATORY SECTION (Amending Order 89-20, filed 1/11/90, effective 2/26/90)

WAC 296-62-07521 LEAD. (1) Scope and application.

(a) This section applies to all occupational exposure to lead, except as provided in subdivision (1)(b).

(b) This section does not apply to the construction industry or to agricultural operations covered by chapter 296-306 WAC.

(2) Definitions as applicable to this part.

(a) "Action level" - employee exposure, without regard to the use of respirators, to an airborne concentration of lead of thirty micrograms per cubic meter of air ($30 \mu\text{g}/\text{m}^3$) averaged over an eight-hour period.

(b) "Director" - the director of the department of labor and industries.

(c) "Lead" - metallic lead, all inorganic lead compounds, and organic lead soaps. Excluded from this definition are all other organic lead compounds.

(3) Permissible exposure limit (PEL).

(a) The employer shall assure that no employee is exposed to lead at concentrations greater than fifty micrograms per cubic meter of air ($50 \mu\text{g}/\text{m}^3$) averaged over an eight-hour period.

(b) If an employee is exposed to lead for more than eight hours in any work day, the permissible exposure limit, as a time weighted average (TWA) for that day, shall be reduced according to the following formula:

$$\text{Maximum permissible limit (in } \mu\text{g}/\text{m}^3) = 400 \div \text{hours worked in the day.}$$

(c) When respirators are used to supplement engineering and work practice controls to comply with the PEL and all the requirements of subsection (6) have been met, employee exposure, for the purpose of determining whether the employer has complied with the PEL, may be considered to be at the level provided by the protection factor of the respirator for those periods the respirator is worn. Those periods may be averaged with exposure levels during periods when respirators are not worn to determine the employee's daily TWA exposure.

(4) Exposure monitoring.

(a) General.

(i) For the purposes of subsection (4), employee exposure is that exposure which would occur if the employee were not using a respirator.

(ii) With the exception of monitoring under subdivision (4)(c), the employer shall collect full shift (for at least seven continuous hours) personal samples including at least one sample for each shift for each job classification in each work area.

(iii) Full shift personal samples shall be representative of the monitored employee's regular, daily exposure to lead.

(b) Initial determination. Each employer who has a workplace or work operation covered by this standard shall determine if any employee may be exposed to lead at or above the action level.

(c) Basis of initial determination.

(i) The employer shall monitor employee exposures and shall base initial determinations on the employee exposure monitoring results and any of the following, relevant considerations:

(A) Any information, observations, or calculations which would indicate employee exposure to lead;

(B) Any previous measurements of airborne lead; and

(C) Any employee complaints of symptoms which may be attributable to exposure to lead.

(ii) Monitoring for the initial determination may be limited to a representative sample of the exposed employees who the employer reasonably believes are exposed to the greatest airborne concentrations of lead in the workplace.

(iii) Measurements of airborne lead made in the preceding twelve months may be used to satisfy the requirement to monitor under item (4)(c)(i) if the sampling and analytical methods used meet the accuracy and confidence levels of subdivision (4)(i) of this section.

(d) Positive initial determination and initial monitoring.

(i) Where a determination conducted under subdivision (4)(b) and (4)(c) of this section shows the possibility of any employee exposure at or above the action level, the employer shall conduct monitoring which is representative of the exposure for each employee in the workplace who is exposed to lead.

(ii) Measurements of airborne lead made in the preceding twelve months may be used to satisfy this requirement if the sampling and analytical methods used meet the accuracy and confidence levels of subdivision (4)(i) of this section.

(e) Negative initial determination. Where a determination, conducted under subdivisions (4)(b) and (4)(c) of this section is made that no employee is exposed to airborne concentrations of lead at or above the action level, the employer shall make a written record of such determination. The record shall include at least the information specified in subdivision (4)(c) of this section and shall also include the date of determination, location within the worksite, and the name and social security number of each employee monitored.

(f) Frequency.

(i) If the initial monitoring reveals employee exposure to be below the action level the measurements need not be repeated except as otherwise provided in subdivision (4)(g) of this section.

(ii) If the initial determination or subsequent monitoring reveals employee exposure to be at or above the action level but below the permissible exposure limit the employer shall repeat monitoring in accordance with this subsection at least every six months. The employer shall continue monitoring at the required frequency until at least two consecutive measurements, taken at least seven days apart, are below the action level at which time the employer may discontinue monitoring for that employee except as otherwise provided in subdivision (4)(g) of this section.

(iii) If the initial monitoring reveals that employee exposure is above the permissible exposure limit the employer shall repeat monitoring quarterly. The employer shall continue monitoring at the required frequency until at least two consecutive measurements, taken at least seven days apart, are below the PEL but at or above the action level at which time the employer shall repeat monitoring for that employee at the frequency specified in item (4)(f)(ii), except as otherwise provided in subdivision (4)(g) of this section.

(g) Additional monitoring. Whenever there has been a production, process, control or personnel change which may result in new or additional exposure to lead, or whenever the employer has any other reason to suspect a change which may result in new or additional exposures to lead, additional monitoring in accordance with this subsection shall be conducted.

(h) Employee notification.

(i) Within five working days after the receipt of monitoring results, the employer shall notify each employee in writing of the results which represent that employee's exposure.

(ii) Whenever the results indicate that the representative employee exposure, without regard to respirators, exceeds the permissible exposure limit, the employer shall include in the written notice a statement that the permissible exposure limit was exceeded and a description of the corrective action taken or to be taken to reduce exposure to or below the permissible exposure limit.

(i) Accuracy of measurement. The employer shall use a method of monitoring and analysis which has an accuracy (to a confidence level of ninety-five percent) of not less than plus or minus twenty percent for airborne concentrations of lead equal to or greater than $30 \mu\text{g}/\text{m}^3$.

(5) Methods of compliance.

(a) Engineering and work practice controls.

(i) Where any employee is exposed to lead above the permissible exposure limit for more than thirty days per year, the employer shall

implement engineering and work practice controls (including administrative controls) to reduce and maintain employee exposure to lead in accordance with the implementation schedule in Table I below, except to the extent that the employer can demonstrate that such controls are not feasible. Wherever the engineering and work practice controls which can be instituted are not sufficient to reduce employee exposure to or below the permissible exposure limit, the employer shall nonetheless use them to reduce exposures to the lowest feasible level and shall supplement them by the use of respiratory protection which complies with the requirements of subsection (6) of this section.

(ii) Where any employee is exposed to lead above the permissible exposure limit, but for thirty days or less per year, the employer shall implement engineering controls to reduce exposures to 200 $\mu\text{g}/\text{m}^3$, but thereafter may implement any combination of engineering, work practice (including administrative controls), and respiratory controls to reduce and maintain employee exposure to lead to or below 50 $\mu\text{g}/\text{m}^3$.

TABLE I
IMPLEMENTATION SCHEDULE

Industry ¹	Compliance Dates ²		
	200 ($\mu\text{g}/\text{m}^3$) $\mu\text{g}/\text{m}^3$	100 $\mu\text{g}/\text{m}^3$	50 $\mu\text{g}/\text{m}^3$
Primary lead production	(³)	² June 29, 1984	² June 29, 1991.
Secondary lead production	(³)	² June 29, 1984	² June 29, 1986.
Lead-acid battery manufacturing	(³)	² June 29, 1983	² June 29, 1986.
Automobile manufacture/ solder grinding	(³)	N/A	(²June 29, 1988.) ² June 29, 1986.
Electronics, gray iron found- ries, ink manufacture, paints and coatings man- ufacture, wall paper man- ufacture, can manufac- ture, and printing	(³)	N/A	² June 29, 1982.
Brass and bronze ingot manufacture, lead chemical manufacture, and secondary copper smelting	(³)	N/A	⁴ 5 years.
((Nonferrous foundries	(³)	N/A	⁴ 2 1/2 years.)
Nonferrous foundries	(³)	N/A	⁴ 5 years.
All other industries	(³)	N/A	⁴ 2 1/2 years.

Note: ¹Includes ancillary activities located on the same worksite.
²This date is calculated by counting, from June 29, 1981, (the date when the United States Supreme Court denied certiorari and lifted the stay on the implementation of paragraph (5)(a)), the number of years specified for the particular industry in the original lead standard for compliance with the given airborne exposure level. The denial of certiorari followed a decision of the United States Court of Appeals for the District of Columbia Circuit finding compliance with paragraph (5)(a) to be feasible for the relevant industries.
³On effective date. This continues an obligation from WAC 296-62-07515 Table I which had been in effect since 1973.
⁴Expressed as the number of years from the date on which the court lifts the stay on the implementation of paragraph (5)(a) for the particular industry.
⁵Large nonferrous foundries (20 or more employees) are required to achieve 50 $\mu\text{g}/\text{m}^3$ by means of engineering and work practice controls. Small nonferrous foundries (fewer than 20 employees), however, are only required to achieve 75 $\mu\text{g}/\text{m}^3$ by such controls. All foundries are required to comply within five years.

(b) Respiratory protection. Where engineering and work practice controls do not reduce employee exposure to or below the 50 $\mu\text{g}/\text{m}^3$ permissible exposure limit, the employer shall supplement these controls with respirators in accordance with subsection (6).

(c) Compliance program.
 (i) Each employer shall establish and implement a written compliance program to reduce exposures to or below the permissible exposure limit, and interim levels if applicable, solely by means of engineering and work practice controls in accordance with the implementation schedule in subdivision (5)(a).

(ii) Written plans for these compliance programs shall include at least the following:

(A) A description of each operation in which lead is emitted; e.g., machinery used, material processed, controls in place, crew size, employee job responsibilities, operating procedures and maintenance practices;

(B) A description of the specific means that will be employed to achieve compliance, including engineering plans and studies used to determine methods selected for controlling exposure to lead;

(C) A report of the technology considered in meeting the permissible exposure limit;

(D) Air monitoring data which documents the source of lead emissions;

(E) A detailed schedule for implementation of the program, including documentation such as copies of purchase orders for equipment, construction contracts, etc.;

(F) A work practice program which includes items required under subsections (7), (8) and (9) of this regulation;

(G) An administrative control schedule required by subdivision (5)(f), if applicable; and

(H) Other relevant information.

(iii) Written programs shall be submitted upon request to the director, and shall be available at the worksite for examination and copying by the director, any affected employee or authorized employee representatives.

(iv) Written programs shall be revised and updated at least every six months to reflect the current status of the program.

(d) Bypass of interim level. Where an employer's compliance plan provides for a reduction of employee exposures to or below the PEL solely by means of engineering and work practice controls in accordance with the implementation schedule in Table I, and the employer has determined that compliance with the 100 $\mu\text{g}/\text{m}^3$ interim level would divert resources to the extent that it clearly precludes compliance, otherwise attainable, with the PEL by the required time, the employer may proceed with the plan to comply with the PEL in lieu of compliance with the interim level if:

(i) The compliance plan clearly documents the basis of the determination;

(ii) The employer takes all feasible steps to provide maximum protection for employees until the PEL is met; and

(iii) The employer notifies the director in writing within ten working days of the completion or revision of the compliance plan reflecting the determination.

(e) Mechanical ventilation.

(i) When ventilation is used to control exposure, measurements which demonstrate the effectiveness of the system in controlling exposure, such as capture velocity, duct velocity, or static pressure shall be made at least every three months. Measurements of the system's effectiveness in controlling exposure shall be made within five days of any change in production, process, or control which might result in a change in employee exposure to lead.

(ii) Recirculation of air. If air from exhaust ventilation is recirculated into the workplace, the employer shall assure that (A) the system has a high efficiency filter with reliable back-up filter; and (B) controls to monitor the concentration of lead in the return air and to bypass the recirculation system automatically if it fails are installed, operating, and maintained.

(f) Administrative controls. If administrative controls are used as a means of reducing employees TWA exposure to lead, the employer shall establish and implement a job rotation schedule which includes:

(i) Name or identification number of each affected employee;

(ii) Duration and exposure levels at each job or work station where each affected employee is located; and

(iii) Any other information which may be useful in assessing the reliability of administrative controls to reduce exposure to lead.

(6) Respiratory protection.

(a) General. Where the use of respirators is required under this section, the employer shall provide, at no cost to the employee, and assure the use of respirators which comply with the requirements of this subsection. Respirators shall be used in the following circumstances:

(i) During the time period necessary to install or implement engineering or work practice controls, except that after the dates for compliance with the interim levels in Table I, no employer shall require an employee to wear a negative pressure respirator longer than 4.4 hours per day;

(ii) In work situations in which engineering and work practice controls are not sufficient to reduce exposures to or below the permissible exposure limit; and

(iii) Whenever an employee requests a respirator.

(b) Respirator selection.

(i) Where respirators are required under this section the employer shall select the appropriate respirator or combination of respirators from Table II.

TABLE II
RESPIRATORY PROTECTION FOR LEAD AEROSOLS

Airborne Concentration of Lead or Condition of Use	Required Respirator ¹
Not in excess of 0.5 mg/m ³ (10X PEL).	Half-mask, air-purifying respirator equipped with high efficiency filters. ^{2,3}
Not in excess of 2.5 mg/m ³ (50X PEL).	Full facepiece, air-purifying respirator with high efficiency filters. ³
Not in excess of 50 mg/m ³ (1000X PEL).	(1) Any powered, air-purifying respirator with high efficiency filters ³ ; or (2) Half-mask supplied air respirator operated in positive-pressure mode. ²
Not in excess of 100 mg/m ³ (2000X PEL).	Supplied-air respirators with full facepiece, hood, helmet, or suit, operated in positive pressure mode.
Greater than 100 mg/m ³ , unknown concentration or fire fighting.	Full facepiece, self-contained breathing apparatus operated in positive-pressure mode.

Note: ¹ Respirators specified for high concentrations can be used at lower concentrations of lead.

² Full facepiece is required if the lead aerosols cause eye or skin irritation at the use concentrations.

³ A high efficiency particulate filter means 99.97 percent efficient against 0.3 micron size particles.

(ii) The employer shall provide a powered, air-purifying respirator in lieu of the respirator specified, in Table II whenever:

- (A) An employee chooses to use this type of respirator; and
- (B) This respirator will provide adequate protection to the employee.

(iii) The employer shall select respirators from among those approved for protection against lead dust, fume, and mist by the Mine Safety and Health Administration and the National Institute for Occupational Safety and Health (NIOSH) under the provisions of 30 CFR Part 11.

(c) Respirator usage.

(i) The employer shall assure that the respirator issued to the employee exhibits minimum facepiece leakage and that the respirator is fitted properly.

(ii) Employers shall perform either quantitative or qualitative face fit tests at the time of initial fitting and at least every six months thereafter for each employee wearing negative pressure respirators. The qualitative fit tests may be used only for testing the fit of half-mask respirators where they are permitted to be worn, and shall be conducted in accordance with Appendix D. The tests shall be used to select facepieces that provide the required protection as prescribed in Table II.

(iii) If an employee exhibits difficulty in breathing during the fitting test or during use, the employer shall make available to the employee an examination in accordance with subitem (10)(c)(i)(C) of this section to determine whether the employee can wear a respirator while performing the required duty.

(d) Respirator program.

(i) The employer shall institute a respiratory protection program in accordance with WAC 296-62-071.

(ii) The employer shall permit each employee who uses a filter respirator to change the filter elements whenever an increase in breathing resistance is detected and shall maintain an adequate supply of filter elements for this purpose.

(iii) Employees who wear respirators shall be permitted to leave work areas to wash their face and respirator facepiece whenever necessary to prevent skin irritation associated with respirator use.

(7) Protective work clothing and equipment.

(a) Provision and use. If an employee is exposed to lead above the PEL, without regard to the use of respirators or where the possibility of skin or eye irritation exists, the employer shall provide at no cost to the employee and assure that the employee uses appropriate protective work clothing and equipment such as, but not limited to:

- (i) Coveralls or similar full-body work clothing;
- (ii) Gloves, hats, and shoes or disposable shoe coverlets; and
- (iii) Face shields, vented goggles, or other appropriate protective equipment which complies with WAC 296-24-078.

(b) Cleaning and replacement.

(i) The employer shall provide the protective clothing required in subdivision (7)(a) of this section in a clean and dry condition at least weekly, and daily to employees whose exposure levels without regard to a respirator are over 200 µg/m³ of lead as an eight-hour TWA.

(ii) The employer shall provide for the cleaning, laundering, or disposal of protective clothing and equipment required by subdivision (7)(a) of this section.

(iii) The employer shall repair or replace required protective clothing and equipment as needed to maintain their effectiveness.

(iv) The employer shall assure that all protective clothing is removed at the completion of a work shift only in change rooms provided for that purpose as prescribed in subdivision (9)(b) of this section.

(v) The employer shall assure that contaminated protective clothing which is to be cleaned, laundered, or disposed of, is placed in a closed container in the change-room which prevents dispersion of lead outside the container.

(vi) The employer shall inform in writing any person who cleans or launders protective clothing or equipment of the potentially harmful effects of exposure to lead.

(vii) The employer shall assure that the containers of contaminated protective clothing and equipment required by subdivision (7)(b)(v) are labeled as follows:

CAUTION: CLOTHING CONTAMINATED WITH LEAD. DO NOT REMOVE DUST BY BLOWING OR SHAKING. DISPOSE OF LEAD CONTAMINATED WASH WATER IN ACCORDANCE WITH APPLICABLE LOCAL, STATE, OR FEDERAL REGULATIONS.

(viii) The employer shall prohibit the removal of lead from protective clothing or equipment by blowing, shaking, or any other means which disperses lead into the air.

(8) Housekeeping.

(a) Surfaces. All surfaces shall be maintained as free as practicable of accumulations of lead.

(b) Cleaning floors.

(i) Floors and other surfaces where lead accumulates may not be cleaned by the use of compressed air.

(ii) Shoveling, dry or wet sweeping, and brushing may be used only where vacuuming or other equally effective methods have been tried and found not to be effective.

(c) Vacuuming. Where vacuuming methods are selected, the vacuums shall be used and emptied in a manner which minimizes the entry of lead into the workplace.

(9) Hygiene facilities and practices.

(a) The employer shall assure that in areas where employees are exposed to lead above the PEL, without regard to the use of respirators, food or beverage is not present or consumed, tobacco products are not present or used, and cosmetics are not applied, except in change rooms, lunchrooms, and showers required under subdivision (9)(b) through (9)(d) of this section.

(b) Change rooms.

(i) The employer shall provide clean change rooms for employees who work in areas where their airborne exposure to lead is above the PEL, without regard to the use of respirators.

(ii) The employer shall assure that change rooms are equipped with separate storage facilities for protective work clothing and equipment and for street clothes which prevent cross-contamination.

(c) Showers.

(i) The employer shall assure that employees who work in areas where their airborne exposure to lead is above the PEL, without regard to the use of respirators, shower at the end of the work shift.

(ii) The employer shall provide shower facilities in accordance with WAC 296-24-12009.

(iii) The employer shall assure that employees who are required to shower pursuant to item (9)(c)(i) do not leave the workplace wearing any clothing or equipment worn during the work shift.

(d) Lunchrooms.

(i) The employer shall provide lunchroom facilities for employees who work in areas where their airborne exposure to lead is above the PEL, without regard to the use of respirators.

(ii) The employer shall assure that lunchroom facilities have a temperature controlled, positive pressure, filtered air supply, and are readily accessible to employees.

(iii) The employer shall assure that employees who work in areas where their airborne exposure to lead is above the PEL without regard to the use of a respirator wash their hands and face prior to eating, drinking, smoking or applying cosmetics.

(iv) The employer shall assure that employees do not enter lunch-room facilities with protective work clothing or equipment unless surface lead dust has been removed by vacuuming, downdraft booth, or other cleaning method.

(e) Lavatories. The employer shall provide an adequate number of lavatory facilities which comply with WAC 296-24-12009 (1) and (2).

(10) Medical surveillance.

(a) General.

(i) The employer shall institute a medical surveillance program for all employees who are or may be exposed above the action level for more than thirty days per year.

(ii) The employer shall assure that all medical examinations and procedures are performed by or under the supervision of a licensed physician.

(iii) The employer shall provide the required medical surveillance including multiple physician review under item (10)(c)(iii) without cost to employees and at a reasonable time and place.

(b) Biological monitoring.

(i) Blood lead and ZPP level sampling and analysis. The employer shall make available biological monitoring in the form of blood sampling and analysis for lead and zinc protoporphyrin levels to each employee covered under item (10)(a)(i) of this section on the following schedule:

(A) At least every six months to each employee covered under item (10)(a)(i) of this section;

(B) At least every two months for each employee whose last blood sampling and analysis indicated a blood lead level at or above 40 $\mu\text{g}/100\text{ g}$ of whole blood. This frequency shall continue until two consecutive blood samples and analyses indicate a blood lead level below 40 $\mu\text{g}/100\text{ g}$ of whole blood; and

(C) At least monthly during the removal period of each employee removed from exposure to lead due to an elevated blood lead level.

(ii) Follow-up blood sampling tests. Whenever the results of a blood lead level test indicate that an employee's blood lead level exceeds the numerical criterion for medical removal under item (11)(a)(i), the employer shall provide a second (follow-up) blood sampling test within two weeks after the employer receives the results of the first blood sampling test.

(iii) Accuracy of blood lead level sampling and analysis. Blood lead level sampling and analysis provided pursuant to this section shall have an accuracy (to a confidence level of ninety-five percent) within plus or minus fifteen percent or 6 $\mu\text{g}/100\text{ ml}$, whichever is greater, and shall be conducted by a laboratory licensed by the Center for Disease Control (CDC), United States Department of Health, Education and Welfare or which has received a satisfactory grade in blood lead proficiency testing from CDC in the prior twelve months.

(iv) Employee notification. Within five working days after the receipt of biological monitoring results, the employer shall notify in writing each employee whose blood lead level exceeds 40 $\mu\text{g}/100\text{ g}$: (A) of that employee's blood lead level and (B) that the standard requires temporary medical removal with medical removal protection benefits when an employee's blood lead level exceeds the numerical criterion for medical removal under item (11)(a)(i) of this section.

(c) Medical examinations and consultations.

(i) Frequency. The employer shall make available medical examinations and consultations to each employee covered under item (10)(a)(i) of this section on the following schedule:

(A) At least annually for each employee for whom a blood sampling test conducted at any time during the preceding twelve months indicated a blood lead level at or above 40 $\mu\text{g}/100\text{ g}$;

(B) Prior to assignment for each employee being assigned for the first time to an area in which airborne concentrations of lead are at or above the action level;

(C) As soon as possible, upon notification by an employee either that the employee has developed signs or symptoms commonly associated with lead intoxication, that the employee desires medical advice concerning the effects of current or past exposure to lead on the employee's ability to procreate a healthy child, or that the employee has demonstrated difficulty in breathing during a respirator fitting test or during use; and

(D) As medically appropriate for each employee either removed from exposure to lead due to a risk of sustaining material impairment to health, or otherwise limited pursuant to a final medical determination.

(ii) Content. Medical examinations made available pursuant to subitems (10)(c)(i)(A) through (B) of this section shall include the following elements:

(A) A detailed work history and a medical history, with particular attention to past lead exposure (occupational and nonoccupational), personal habits (smoking, hygiene), and past gastrointestinal, hematologic, renal, cardiovascular, reproductive and neurological problems;

(B) A thorough physical examination, with particular attention to teeth, gums, hematologic, gastrointestinal, renal, cardiovascular, and neurological systems. Pulmonary status should be evaluated if respiratory protection will be used;

(C) A blood pressure measurement;

(D) A blood sample and analysis which determines:

(I) Blood lead level;

(II) Hemoglobin and hematocrit determinations, red cell indices, and examination of peripheral smear morphology;

(III) Zinc protoporphyrin;

(IV) Blood urea nitrogen; and

(V) Serum creatinine;

(E) A routine urinalysis with microscopic examination; and

(F) Any laboratory or other test which the examining physician deems necessary by sound medical practice.

The content of medical examinations made available pursuant to subitems (10)(c)(i)(C) through (D) of this section shall be determined by an examining physician and, if requested by an employee, shall include pregnancy testing or laboratory evaluation of male fertility.

(iii) Multiple physician review mechanism.

(A) If the employer selects the initial physician who conducts any medical examination or consultation provided to an employee under this section, the employee may designate a second physician:

(I) To review any findings, determinations or recommendations of the initial physician; and

(II) To conduct such examinations, consultations, and laboratory tests as the second physician deems necessary to facilitate this review.

(B) The employer shall promptly notify an employee of the right to seek a second medical opinion after each occasion that an initial physician conducts a medical examination or consultation pursuant to this section. The employer may condition its participation in, and payment for, the multiple physician review mechanism upon the employee doing the following within fifteen days after receipt of the foregoing notification, or receipt of the initial physician's written opinion, whichever is later:

(I) The employee informing the employer that he or she intends to seek a second medical opinion, and

(II) The employee initiating steps to make an appointment with a second physician.

(C) If the findings, determinations or recommendations of the second physician differ from those of the initial physician, then the employer and the employee shall assure that efforts are made for the two physicians to resolve any disagreement.

(D) If the two physicians have been unable to quickly resolve their disagreement, then the employer and the employee through their respective physicians shall designate a third physician:

(I) To review any findings, determinations or recommendations of the prior physicians; and

(II) To conduct such examinations, consultations, laboratory tests and discussions with the prior physicians as the third physician deems necessary to resolve the disagreement of the prior physicians.

(E) The employer shall act consistent with the findings, determinations and recommendations of the third physician, unless the employer and the employee reach an agreement which is otherwise consistent with the recommendations of at least one of the three physicians.

(iv) Information provided to examining and consulting physicians.

(A) The employer shall provide an initial physician conducting a medical examination or consultation under this section with the following information:

(I) A copy of this regulation for lead including all appendices;

(II) A description of the affected employee's duties as they relate to the employee's exposure;

(III) The employee's exposure level or anticipated exposure level to lead and to any other toxic substance (if applicable);

(IV) A description of any personal protective equipment used or to be used;

(V) Prior blood lead determinations; and

(VI) All prior written medical opinions concerning the employee in the employer's possession or control.

(B) The employer shall provide the foregoing information to a second or third physician conducting a medical examination or consultation under this section upon request either by the second or third physician, or by the employee.

(v) Written medical opinions.

(A) The employer shall obtain and furnish the employee with a copy of a written medical opinion from each examining or consulting physician which contains the following information:

(I) The physician's opinion as to whether the employee has any detected medical condition which would place the employee at increased risk of material impairment of the employee's health from exposure to lead;

(II) Any recommended special protective measures to be provided to the employee, or limitations to be placed upon the employee's exposure to lead;

(III) Any recommended limitation upon the employee's use of respirators, including a determination of whether the employee can wear a powered air purifying respirator if a physician determines that the employee cannot wear a negative pressure respirator; and

(IV) The results of the blood lead determinations.

(B) The employer shall instruct each examining and consulting physician to:

(I) Not reveal either in the written opinion, or in any other means of communication with the employer, findings, including laboratory results, or diagnoses unrelated to an employee's occupational exposure to lead; and

(II) Advise the employee of any medical condition, occupational or nonoccupational, which dictates further medical examination or treatment.

(vi) Alternate physician determination mechanisms. The employer and an employee or authorized employee representative may agree upon the use of any expeditious alternate physician determination mechanism in lieu of the multiple physician review mechanism provided by this subsection so long as the alternate mechanism otherwise satisfies the requirements contained in this subsection.

(d) Chelation.

(i) The employer shall assure that any person whom he retains, employs, supervises or controls does not engage in prophylactic chelation of any employee at any time.

(ii) If therapeutic or diagnostic chelation is to be performed by any person in item (10)(d)(i), the employer shall assure that it be done under the supervision of a licensed physician in a clinical setting with thorough and appropriate medical monitoring and that the employee is notified in writing prior to its occurrence.

(11) Medical removal protection.

(a) Temporary medical removal and return of an employee.

(i) Temporary removal due to elevated blood lead levels.

(A) First year of the standard. During the first year following the effective date of the standard, the employer shall remove an employee from work having a daily eight hour TWA exposure to lead at or above $100 \mu\text{g}/\text{m}^3$ on each occasion that a periodic and a follow-up blood sampling test conducted pursuant to this section indicate that the employee's blood lead level is at or above $80 \mu\text{g}/100 \text{ g}$ of whole blood;

(B) Second year of the standard. During the second year following the effective date of the standard, the employer shall remove an employee from work having a daily eight hour TWA exposure to lead at or above $50 \mu\text{g}/\text{m}^3$ on each occasion that a periodic and a follow-up blood sampling test conducted pursuant to this section indicate that the employee's blood lead level is at or above $70 \mu\text{g}/100 \text{ g}$ of whole blood;

(C) Third year of the standard, and thereafter. Beginning with the third year following the effective date of the standard, the employer shall remove an employee from work having an exposure to lead at or above the action level on each occasion that a periodic and a follow-up blood sampling test conducted pursuant to this section indicate that the employee's blood lead level is at or above $60 \mu\text{g}/100 \text{ g}$ of whole blood; and

(D) Fifth year of the standard, and thereafter. Beginning with the fifth year following the effective date of the standard, the employer shall remove an employee from work having an exposure to lead at or above the action level on each occasion that the average of the last three blood sampling tests conducted pursuant to this section (or the average of all blood sampling tests conducted over the previous six months, whichever is longer) indicates that the employee's blood lead level is at or above $50 \mu\text{g}/100 \text{ g}$ of whole blood; provided, however, that an employee need not be removed if the last blood sampling test indicates a blood lead level at or below $40 \mu\text{g}/100 \text{ g}$ of whole blood.

(ii) Temporary removal due to a final medical determination.

(A) The employer shall remove an employee from work having an exposure to lead at or above the action level on each occasion that a final medical determination results in a medical finding, determination, or opinion that the employee has a detected medical condition which places the employee at increased risk of material impairment to health from exposure to lead.

(B) For the purposes of this section, the phrase "final medical determination" shall mean the outcome of the multiple physician review mechanism or alternate medical determination mechanism used pursuant to the medical surveillance provisions of this section.

(C) Where a final medical determination results in any recommended special protective measures for an employee, or limitations on an employee's exposure to lead, the employer shall implement and act consistent with the recommendation.

(iii) Return of the employee to former job status.

(A) The employer shall return an employee to his or her former job status:

(I) For an employee removed due to a blood lead level at or above $80 \mu\text{g}/100 \text{ g}$, when two consecutive blood sampling tests indicate that the employee's blood lead level is at or below $60 \mu\text{g}/100 \text{ g}$ of whole blood;

(II) For an employee removed due to a blood lead level at or above $70 \mu\text{g}/100 \text{ g}$, when two consecutive blood sampling tests indicate that the employee's blood lead level is at or below $50 \mu\text{g}/100 \text{ g}$ of whole blood;

(III) For an employee removed due to a blood lead level at or above $60 \mu\text{g}/100 \text{ g}$, or due to an average blood lead level at or above $50 \mu\text{g}/100 \text{ g}$, when two consecutive blood sampling tests indicate that the employee's blood lead level is at or below $40 \mu\text{g}/100 \text{ g}$ of whole blood;

(IV) For an employee removed due to a final medical determination, when a subsequent final medical determination results in a medical finding, determination, or opinion that the employee no longer has a detected medical condition which places the employee at increased risk of material impairment to health from exposure to lead.

(B) For the purposes of this section, the requirement that an employer return an employee to his or her former job status is not intended to expand upon or restrict any rights an employee has or would have had, absent temporary medical removal, to a specific job classification or position under the terms of a collective bargaining agreement.

(iv) Removal of other employee special protective measure or limitations. The employer shall remove any limitations placed on an employee or end any special protective measures provided to an employee pursuant to a final medical determination when a subsequent final medical determination indicates that the limitations or special protective measures are no longer necessary.

(v) Employer options pending a final medical determination. Where the multiple physician review mechanism, or alternate medical determination mechanism used pursuant to the medical surveillance provisions of this section, has not yet resulted in a final medical determination with respect to an employee, the employer shall act as follows:

(A) Removal. The employer may remove the employee from exposure to lead, provide special protective measures to the employee, or place limitations upon the employee, consistent with the medical findings, determinations, or recommendations of any of the physicians who have reviewed the employee's health status.

(B) Return. The employer may return the employee to his or her former job status, end any special protective measures provided to the employee, and remove any limitations placed upon the employee, consistent with the medical findings, determinations, or recommendations of any of the physicians who have reviewed the employee's health status, with two exceptions. If:

(I) The initial removal, special protection, or limitation of the employee resulted from a final medical determination which differed from the findings, determinations, or recommendations of the initial physician; or

(II) The employee has been on removal status for the preceding eighteen months due to an elevated blood lead level, then the employer shall await a final medical determination.

(b) Medical removal protection benefits.

(i) Provision of medical removal protection benefits. The employer shall provide to an employee up to eighteen months of medical removal protection benefits on each occasion that an employee is removed from exposure to lead or otherwise limited pursuant to this section.

(ii) Definition of medical removal protection benefits. For the purposes of this section, the requirement that an employer provide medical removal protection benefits means that the employer shall maintain the

earnings, seniority and other employment rights and benefits of an employee as though the employee had not been removed from normal exposure to lead or otherwise limited.

(iii) Follow-up medical surveillance during the period of employee removal or limitation. During the period of time that an employee is removed from normal exposure to lead or otherwise limited, the employer may condition the provision of medical removal protection benefits upon the employee's participation in follow-up medical surveillance made available pursuant to this section.

(iv) Workers' compensation claims. If a removed employee files a claim for workers' compensation payments for a lead-related disability, then the employer shall continue to provide medical removal protection benefits pending disposition of the claim. To the extent that an award is made to the employee for earnings lost during the period of removal, the employer's medical removal protection obligation shall be reduced by such amount. The employer shall receive no credit for workers' compensation payments received by the employee for treatment related expenses.

(v) Other credits. The employer's obligation to provide medical removal protection benefits to a removed employee shall be reduced to the extent that the employee receives compensation for earnings lost during the period of removal either from a publicly or employer-funded compensation program, or receives income from employment with another employer made possible by virtue of the employee's removal.

(vi) Employees whose blood lead levels do not adequately decline within eighteen months of removal. The employer shall take the following measures with respect to any employee removed from exposure to lead due to an elevated blood lead level whose blood lead level has not declined within the past eighteen months of removal so that the employee has been returned to his or her former job status:

(A) The employer shall make available to the employee a medical examination pursuant to this section to obtain a final medical determination with respect to the employee;

(B) The employer shall assure that the final medical determination obtained indicates whether or not the employee may be returned to his or her former job status, and if not, what steps should be taken to protect the employee's health;

(C) Where the final medical determination has not yet been obtained, or once obtained indicates that the employee may not yet be returned to his or her former job status, the employer shall continue to provide medical removal protection benefits to the employee until either the employee is returned to former job status, or a final medical determination is made that the employee is incapable of ever safely returning to his or her former job status.

(D) Where the employer acts pursuant to a final medical determination which permits the return of the employee to his or her former job status despite what would otherwise be an unacceptable blood lead level, later questions concerning removing the employee again shall be decided by a final medical determination. The employer need not automatically remove such an employee pursuant to the blood lead level removal criteria provided by this section.

(vii) Voluntary removal or restriction of an employee. Where an employer, although not required by this section to do so, removes an employee from exposure to lead or otherwise places limitations on an employee due to the effects of lead exposure on the employee's medical condition, the employer shall provide medical removal protection benefits to the employee equal to that required by item (11)(b)(i) of this section.

(12) Employee information and training.

(a) Training program.

(i) Each employer who has a workplace in which there is a potential exposure to airborne lead at any level shall inform employees of the content of Appendices A and B of this regulation.

(ii) The employer shall institute a training program for and assure the participation of all employees who are subject to exposure to lead at or above the action level or for whom the possibility of skin or eye irritation exists.

(iii) The employer shall provide initial training by one hundred eighty days from the effective date for those employees covered by item (12)(a)(ii) on the standard's effective date and prior to the time of initial job assignment for those employees subsequently covered by this subsection.

(iv) The training program shall be repeated at least annually for each employee.

(v) The employer shall assure that each employee is informed of the following:

(A) The content of this standard and its appendices;

(B) The specific nature of the operations which could result in exposure to lead above the action level;

(C) The purpose, proper selection, fitting, use, and limitations of respirators;

(D) The purpose and a description of the medical surveillance program, and the medical removal protection program including information concerning the adverse health effects associated with excessive exposure to lead (with particular attention to the adverse reproductive effects on both males and females);

(E) The engineering controls and work practices associated with the employee's job assignment;

(F) The contents of any compliance plan in effect; and

(G) Instructions to employees that chelating agents should not routinely be used to remove lead from their bodies and should not be used at all except under the direction of a licensed physician.

(b) Access to information and training materials.

(i) The employer shall make readily available to all affected employees a copy of this standard and its appendices.

(ii) The employer shall provide, upon request, all materials relating to the employee information and training program to the director.

(iii) In addition to the information required by item (12)(a)(v), the employer shall include as part of the training program, and shall distribute to employees, any materials pertaining to the Occupational Safety and Health Act, the regulations issued pursuant to the act, and this lead standard, which are made available to the employer by the director.

(13) Signs.

(a) General.

(i) The employer may use signs required by other statutes, regulations or ordinances in addition to, or in combination with, signs required by this subsection.

(ii) The employer shall assure that no statement appears on or near any sign required by this subsection which contradicts or detracts from the meaning of the required sign.

(b) Signs.

(i) The employer shall post the following warning signs in each work area where the PEL is exceeded:

WARNING
LEAD WORK AREA
POISON
NO SMOKING OR EATING

(ii) The employer shall assure that signs required by this subsection are illuminated and cleaned as necessary so that the legend is readily visible.

(14) Recordkeeping.

(a) Exposure monitoring.

(i) The employer shall establish and maintain an accurate record of all monitoring required in subsection (4) of this section.

(ii) This record shall include:

(A) The date(s), number, duration, location and results of each of the samples taken, including a description of the sampling procedure used to determine representative employee exposure where applicable;

(B) A description of the sampling and analytical methods used and evidence of their accuracy;

(C) The type of respiratory protective devices worn, if any;

(D) Name, social security number, and job classification of the employee monitored and of all other employees whose exposure the measurement is intended to represent; and

(E) the environmental variables that could affect the measurement of employee exposure.

(iii) The employer shall maintain these monitoring records for at least forty years or for the duration of employment plus twenty years, whichever is longer.

(b) Medical surveillance.

(i) The employer shall establish and maintain an accurate record for each employee subject to medical surveillance as required by subsection (10) of this section.

(ii) This record shall include:

(A) The name, social security number, and description of the duties of the employee;

(B) A copy of the physician's written opinions;

(C) Results of any airborne exposure monitoring done for that employee and the representative exposure levels supplied to the physician; and

(D) Any employee medical complaints related to exposure to lead.

(iii) the employer shall keep, or assure that the examining physician keeps, the following medical records:

(A) A copy of the medical examination results including medical and work history required under subsection (10) of this section;

(B) A description of the laboratory procedures and a copy of any standards or guidelines used to interpret the test results or references to that information; and

(C) A copy of the results of biological monitoring.

(iv) The employer shall maintain or assure that the physician maintains those medical records for at least forty years, or for the duration of employment plus twenty years, whichever is longer.

(c) Medical removals.

(i) The employer shall establish and maintain an accurate record for each employee removed from current exposure to lead pursuant to subsection (11) of this section.

(ii) Each record shall include:

(A) The name and social security number of the employee;

(B) The date on each occasion that the employee was removed from current exposure to lead as well as the corresponding date on which the employee was returned to his or her former job status;

(C) A brief explanation of how each removal was or is being accomplished; and

(D) A statement with respect to each removal indicating whether or not the reason for the removal was an elevated blood lead level.

(iii) The employer shall maintain each medical removal record for at least the duration of an employee's employment.

(d) Availability.

(i) The employer shall make available upon request all records required to be maintained by subsection (14) of this section to the director for examination and copying.

(ii) Environmental monitoring, medical removal, and medical records required by this subsection shall be provided upon request to employees, designated representatives, and the assistant director in accordance with WAC 296-62-05201 through 296-62-05209 and 296-62-05213 through 296-62-05217. Medical removal records shall be provided in the same manner as environmental monitoring records.

(iii) Upon request, the employer shall make an employee's medical records required to be maintained by this section available to the affected employee or former employee or to a physician or other individual designated by such affected employee or former employees for examination and copying.

(e) Transfer of records.

(i) Whenever the employer ceases to do business, the successor employer shall receive and retain all records required to be maintained by subsection (14) of this section.

(ii) Whenever the employer ceases to do business and there is no successor employer to receive and retain the records required to be maintained by this section for the prescribed period, these records shall be transmitted to the director.

(iii) At the expiration of the retention period for the records required to be maintained by this section, the employer shall notify the director at least three months prior to the disposal of such records and shall transmit those records to the director if requested within the period.

(iv) The employer shall also comply with any additional requirements involving transfer of records set forth in WAC 296-62-05215.

(15) Observation of monitoring.

(a) Employee observation. The employer shall provide affected employees or their designated representatives an opportunity to observe any monitoring of employee exposure to lead conducted pursuant to subsection (4) of this section.

(b) Observation procedures.

(i) Whenever observation of the monitoring of employee exposure to lead requires entry into an area where the use of respirators, protective clothing or equipment is required, the employer shall provide the observer with and assure the use of such respirators, clothing and such equipment, and shall require the observer to comply with all other applicable safety and health procedures.

(ii) Without interfering with the monitoring, observers shall be entitled to:

(A) Receive an explanation of the measurement procedures;

(B) Observe all steps related to the monitoring of lead performed at the place of exposure; and

(C) Record the results obtained or receive copies of the results when returned by the laboratory.

(16) Effective date. The effective date of this standard is September 6, 1980.

(17) Appendices. The information contained in the appendices to this section is not intended by itself, to create any additional obligations not otherwise imposed by this standard nor detract from any existing obligation. Appendices are available from:

The Technical Services Section
Division of Industrial Safety and Health
P.O. Box 207
Olympia, WA 98504 (206) 753-6381

(18) Startup dates. All obligations of this standard commence on the effective date except as follows:

(a) The initial determination under subdivision (4)(b) shall be made as soon as possible but no later than thirty days from the effective date.

(b) Initial monitoring under subdivision (4)(d) shall be completed as soon as possible but no later than ninety days from the effective date.

(c) Initial biological monitoring and medical examinations under subsection (10) shall be completed as soon as possible but no later than one hundred eighty days from the effective date. Priority for biological monitoring and medical examinations shall be given to employees whom the employer believes to be at greatest risk from continued exposure.

(d) Initial training and education shall be completed as soon as possible but no later than one hundred eighty days from the effective date.

(e) Hygiene and lunchroom facilities under subsection (9) shall be in operation as soon as possible but no later than one year from the effective year.

(f) Respiratory protection required by subsection (6) shall be provided as soon as possible but no later than the following schedule:

(i) Employees whose eight-hour TWA exposure exceeds $200 \mu\text{g}/\text{m}^3$ - on the effective date.

(ii) Employees whose eight-hour TWA exposure exceeds the PEL but is less than $200 \mu\text{g}/\text{m}^3$ - one hundred fifty days from the effective date.

(iii) Powered, air-purifying respirators provided under (6)(b)(ii) - two hundred ten days from the effective date.

(iv) Quantitative fit testing required under item (6)(c)(ii) - one year from effective date. Qualitative fit testing is required in the interim.

(g) Written compliance plans required by subdivision (5)(c) shall be completed and available for inspection and copying as soon as possible but no later than the following schedule:

(i) Employers for whom compliance with the PEL or interim level is required within one year from the effective date - six months from the effective date.

(ii) Employers in secondary lead smelting and refining and in lead storage battery manufacturing - one year from the effective date.

(iii) Employers in primary smelting and refining industry - one year from the effective date from the interim level; five years from the effective date for PEL.

(iv) Plans for construction of hygiene facilities, if required - six months from the effective date.

(v) All other industries - one year from the date on which the court lifts the stay on the implementation of paragraph (5)(a) for the particular industry.

(h) The permissible exposure limit in subsection (3) shall become effective one hundred fifty days from the effective date.

AMENDATORY SECTION (Amending Order 89-03, filed 5/15/89, effective 6/30/89)

WAC 296-62-07713 METHODS OF COMPLIANCE. (1) Engineering controls and work practices.

(a) The employer shall institute engineering controls and work practices to reduce and maintain employee exposure to or below the permissible exposure limits prescribed in WAC 296-62-07705, except to the extent that such controls are not feasible. Engineering controls and work practices include but are not limited to the following:

(i) Local exhaust ventilation equipped with HEPA filter dust collection systems;

(ii) Vacuum cleaners equipped with HEPA filters;

(iii) Enclosure or isolation of processes producing asbestos dust;

(iv) Use of wet methods, wetting agents, or removal encapsulants to control employee exposures during asbestos handling, mixing, removal, cutting, application, and cleanup;

(v) Prompt disposal of wastes contaminated with asbestos in leak-tight containers; or

(vi) Use of work practices or other engineering controls that the director can show to be feasible.

(b) Wherever the feasible engineering controls and work practices that can be instituted are not sufficient to reduce employee exposure to or below the permissible exposure limits prescribed in WAC 296-62-07705, the employer shall use them to reduce employee exposure to the lowest levels achievable by these controls and shall supplement them by the use of respiratory protection that complies with the requirements of WAC 296-62-07715.

(c) For the following operations, wherever feasible engineering controls and work practices that can be instituted are not sufficient to reduce the employee exposure to or below the permissible exposure limits prescribed in WAC 296-62-07705, the employer shall use them to reduce employee exposure to or below 0.5 fiber per cubic centimeter of air (as an eight-hour time-weighted average) and shall supplement them by the use of any combination of respiratory protection that complies with the requirements of WAC 296-62-07715, work practices and feasible engineering controls that will reduce employee exposure to or below the permissible exposure limits prescribed in WAC 296-62-07705: Coupling cutoff in primary asbestos cement pipe manufacturing; sanding in primary and secondary asbestos cement sheet manufacturing; grinding in primary and secondary friction product manufacturing; carding and spinning in dry textile processes; and grinding and sanding in primary plastics manufacturing.

(d) Local exhaust ventilation. Local exhaust ventilation and dust collection systems shall be designed, constructed, installed, and maintained in accordance with good practices such as those found in the American National Standard Fundamentals Governing the Design and Operation of Local Exhaust Systems, ANSI Z9.2-1979.

(e) Particular tools. All hand-operated and power-operated tools which would produce or release fibers of asbestos so as to expose employees to levels in excess of the exposure limits prescribed in WAC 296-62-07705, such as, but not limited to, saws, scorers, abrasive wheels, and drills, shall be provided with local exhaust ventilation systems which comply with (d) of this subsection. High-speed abrasive disc saws that are not equipped with appropriate engineering controls shall not be used for work related to asbestos.

(f) Wet methods. Asbestos shall be handled, mixed, applied, removed, cut, scored, or otherwise worked in a wet saturated state to prevent the emission of airborne fibers unless the usefulness of the product would be diminished thereby.

(g) ~~((Materials containing asbestos shall not be applied by spray methods unless the materials contain less than 0.1% asbestos by weight, the asbestos is a natural contaminant and objective data indicate employee exposure will not exceed the action level of 0.1 f/cc.~~

~~((h))~~ Particular products and operations. No asbestos cement, mortar, coating, grout, plaster, or similar material containing asbestos shall be removed from bags, cartons, or other containers in which they are shipped, without being either wetted, enclosed, or ventilated so as to prevent effectively the release of airborne fibers of asbestos so as to expose employees to levels in excess of the permissible exposure limits prescribed in WAC 296-62-07705.

~~((i))~~ (h) Compressed air. Compressed air shall not be used to remove asbestos or materials containing asbestos unless the compressed air is used in conjunction with an enclosed ventilation system designed to capture the dust cloud created by the compressed air.

(2) Clean-up.

(a) After completion of asbestos removal, demolition, and renovation operations, all surfaces in and around the work area shall be cleared of any asbestos debris.

(b) Lock-down. Where asbestos has been removed, encapsulant shall be applied to ensure binding of remaining fibers.

(c) The employer shall demonstrate by monitoring that the airborne fiber concentration is below the action level; or, at or below the airborne fiber level existing prior to the start of the removal, demolition, or renovation project; whichever level is lower.

(3) Compliance program.

(a) Where either the time weighted average and/or excursion limit is exceeded, the employer shall establish and implement a written program to reduce employee exposure to or below the permissible exposure limits by means of engineering and work practice controls as required by subsection (1) of this section, and by the use of respiratory protection where required or permitted under this section.

(b) Such programs shall be reviewed and updated as necessary to reflect significant changes in the status of the employer's compliance program.

(c) Written programs shall be submitted upon request for examination and copying to the director, affected employees and designated employee representatives.

(d) The employer shall not use employee rotation as a means of compliance with the permissible exposure limits specified in WAC 296-62-07705.

AMENDATORY SECTION (Amending Order 86-14, filed 1/21/86)

WAC 296-155-367 MASONRY SAWS. (1) ~~((Operating requirements. Masonry saws shall be constructed, guarded, and operated in accordance with ANSI A10.9-1983, Safety Requirements for Concrete Construction and Masonry Work.~~

~~((2))~~ Guarding.

(a) Masonry saws shall be guarded by semicircular enclosures over the blade ~~((and by a slotted horizontal hinged bar mounted underneath the enclosure to retain fragments of the blade in case it should shatter while in use)).~~

~~((b))~~ A method for retaining blade fragments shall be incorporated into the design of the semicircular enclosure.

~~((3))~~ (2) Safety latch. A safety latch shall be installed on notched saws to prevent the motor and cutting head assembly from lifting out of the notches.

~~((4))~~ (3) Blade speed. Blade speed shall be maintained in accordance with the manufacturer's specifications.

~~((5))~~ (4) Exhaust and eye protection.

(a) All table mounted masonry saws shall be equipped with a mechanical means of exhausting dust into a covered receptacle or be provided with water on the saw blade for dust control. The operator and any nearby worker shall wear appropriate eye protection in accordance with WAC 296-155-215.

(b) All portable hand-held masonry saw operators shall wear appropriate eye and respiratory protection in accordance with WAC 296-155-215 and chapter 296-62 WAC.

~~((6))~~ (5) Grounding. The motor frames of all stationary saws shall be grounded through conduit, water pipe, or a driven ground. Portable saws shall be grounded through three-pole cords attached to grounded electrical systems.

~~((7))~~ (6) Inspection. Masonry saws shall be inspected at regular intervals and maintained in safe operating condition.

AMENDATORY SECTION (Amending Order 89-03, filed 5/15/89, effective 6/30/89)

WAC 296-155-682 REQUIREMENTS FOR EQUIPMENT AND TOOLS. (1) Bulk cement storage. Bulk storage bins, containers, and silos shall be equipped with the following:

(a) Conical or tapered bottoms; and

(b) Mechanical or pneumatic means of starting the flow of material.

(2) No employee shall be permitted to enter storage facilities unless the ejection system has been shut down and locked out in accordance with WAC 296-155-429.

(3) Safety belts, harnesses, lanyards, lifelines or droplines, independently attached or attended, shall be used as prescribed in WAC 296-155-225 (10)(a).

(4) Concrete mixers. Concrete mixers with one cubic yard (.8 m³) or larger loading skips shall be equipped with the following:

(a) A mechanical device to clear the skip of materials; and

(b) Guardrails installed on each side of the skip.

(5) Power concrete trowels. Powered and rotating type concrete troweling machines that are manually guided shall be equipped with a control switch that will automatically shut off the power whenever the hands of the operator are removed from the equipment handles.

(6) Concrete buggies. Concrete buggy handles shall not extend beyond the wheels on either side of the buggy.

Note: Installation of knuckle guards on buggy handles is recommended.

(7) Runways shall be constructed to carry the maximum contemplated load with a safety factor of four, have a smooth running surface and be of sufficient width for two buggies to pass. Single runs to have a minimum width of forty-two inches with turnouts. Runways to have standard railings. Where motor driven concrete buggies are used, a minimum four-inches by four-inches wheel guard shall be securely fastened to outside edge of runways.

(8) Concrete pumping systems.

(a) The employer shall comply with the manufacturer's specifications and limitations applicable to the operation of pumpcrete or similar systems. Where manufacturer's specifications are not available, the limitations assigned to the equipment shall be based on the determinations of a qualified engineer, competent in this field, and such determinations will be appropriately documented and recorded.

(b) Rated load capacities, and recommended operating speeds and pressures, special hazard warnings, or instructions, shall be conspicuously posted on all equipment. Instructions and warnings shall be visible to the operator while he is at his control station.

(c) Concrete pumping systems using discharge pipes shall be provided with pipe supports designed for one hundred percent overload.

(d) Compressed air hoses used on concrete pumping systems shall be provided with positive fail-safe joint connectors to prevent separation of sections when pressurized.

(e) No part of the concrete pumping system shall operate closer to high voltage electrical conductors than the distances specified in WAC 296-155-428 (1)(d)(i) and (ii).

(9) Concrete buckets.

(a) Concrete buckets equipped with hydraulic or pneumatic gates shall have positive safety latches or similar safety devices installed to prevent premature or accidental dumping.

(b) Concrete buckets shall be designed to prevent concrete from hanging up on top and the sides.

(c) Riding of concrete buckets for any purpose shall be prohibited, and vibrator crews shall be kept out from under concrete buckets suspended from cranes or cableways.

(d) When discharging on a slope, the wheels of ready-mix trucks shall be blocked and the brakes set to prevent movement.

(10) Tremies. Sections of tremies and similar concrete conveyances shall be secured with wire rope (or equivalent materials in addition to the regular couplings or connections).

(11) Bull floats. Bull float handles, used where they might contact energized electrical conductors, shall be constructed of nonconductive material or insulated with a nonconductive sheath whose electrical and mechanical characteristics provide the equivalent protection of a handle constructed of nonconductive material.

(12) Masonry saws shall be constructed, guarded, and operated in accordance with ~~((ANSI A10.9-1983. Safety requirements for concrete construction and masonry work and in accordance with))~~ WAC 296-155-367(1) through (4).

(13) Lockout/tagout procedures. No employee shall be permitted to perform maintenance or repair activity on equipment (such as compressors, mixers, screens, or pumps used for concrete and masonry construction activities) where the inadvertent operation of the equipment could occur and cause injury, unless all potentially hazardous energy sources have been locked out and tagged in accordance with WAC 296-155-429.

AMENDATORY SECTION (Amending Order 89-03, filed 5/15/89, effective 6/30/89)

WAC 296-155-691 PRECAST CONCRETE AND TILT-UP OPERATIONS. (1) It shall be the responsibility of the contractor to use accessories which are designed to be compatible.

(2) The design capacity of all lifting devices and accessories shall be known. The devices and accessories with the appropriate capacity shall be used.

(3) Prior to pouring the panels of a tilt-up type construction job, a set of plans or job specifications, including lifting procedures, shall be drawn up.

(a) These plans shall be at the job site and made available upon request.

(b) Any changes made in the rigging procedure of a tilt-up panel or slab shall provide the same degree of safety as required by the original plans.

(c) The plans or specifications shall contain the following information:

(i) The type, size, and location of all lifting inserts.

(ii) The type, size, and location of all brace inserts or fittings for guy wires in each panel and floor or support.

(iii) The size of braces or guys to be used.

(iv) The compression strength which concrete panels must attain prior to being lifted.

(4) The following conditions shall be included in the erection process and shall be incorporated in the design plan:

(a) Braces and all associated components of the bracing system shall be designed to incorporate a safety factor of one and one-half to resist any normal stresses to which they may be subjected, including normal high wind velocity pressures for the area.

(b) Precast concrete wall units, structural framing, and tilt-up wall panels shall be adequately supported to prevent overturning and to prevent collapse until permanent connections are completed.

(c) Floor braces used to secure panel sections shall be placed at an angle of not less than forty-five degrees or more than sixty degrees from horizontal when physically possible to install in this manner.

(d) The bracing on all panel sections shall be installed in such a manner as to prevent the panel from accidentally rotating.

(e) Each panel section not secured by other means shall have a minimum of two braces. The braces shall be installed in such a manner as to evenly distribute the load or guy wires, when properly installed, may be used in lieu of stiff leg braces.

(f) If braces are attached to a panel or slab by bolts tightened into inserts installed in holes drilled in concrete, the type of inserts used and method of installation shall be such as to develop the required strength to be maintained for the bracing system.

(g) Inserts to be installed for lifting sections of ~~((α))~~ tilt-up precast panels shall be designed mechanically to maintain a safety factor of three.

(h) Lifting inserts which are embedded or otherwise attached to precast concrete members, other than the tilt-up members, shall be capable of supporting at least four times the maximum intended load applied or transmitted to them.

(i) The compression strength of the concrete shall be such that when the proper type, size, and amount of inserts are installed a minimum safety factor of two will be maintained.

(j) Lifting hardware ~~((such as spreader bars, slings, shackles, etc., shall be designed for a safety factor of not less than five and shall not be used whenever the safety factor is reduced below four))~~ shall be capable of supporting at least five times the maximum intended load applied or transmitted to the lifting hardware.

(k) Lifting bolts or other lifting devices which have been bent, worn, or are defective shall be discarded.

(l) The upper and lower sections of telescoping type braces shall be secured by high tensile steel pins or bolts which provide adequate shear strength and which will positively secure against accidental removal.

(m) Manufactured products shall not be altered in a manner which would reduce the safe working load to less than its original value.

(n) Inserts shall be positioned so that bolts, or lifting devices, when inserted, will be perpendicular to the face on which they are placed.

(5) Design of the panels and layout of the pour shall be made in such a manner so that when picking, the top of the panel will be away from the crane. If this is not possible, the contractor shall consult with a representative of the department and the crane company involved to determine the procedure to be followed in lifting and placing in its permanent position safely. Panels shall be lifted and handled in such a manner that they will not strike the hoisting equipment, in case of failure.

(a) Physical stops shall be provided which will prevent the bottom edge of a panel being set from slipping off the edge of its supporting structure.

(b) Tilt-up panels shall not be set when there is a possibility that wind velocity would create a hazardous condition.

(c) A qualified signalman shall be designated and shall consult with the crane operator on lifting procedures prior to making the pick. The signalman shall be located in such a position during the pick of the panel that he can observe both the crane operator and the employees working in the immediate area.

(d) During the lifting process, workers shall keep clear of the under side of the panel.

(e) Persons not involved in the lifting process shall be kept clear of the hazardous area near where panels are being raised, moved or placed.

(f) If braces must be removed temporarily during construction, other effective means shall be provided to safely support the panel during the interim period.

(g) Each panel shall be properly braced or otherwise secured prior to removal of the hoisting equipment.

(h) Short panels or sections not otherwise supported by floor, footings, columns or other structure, shall be properly shored.

AMENDATORY SECTION (Amending Order 89-20, filed 1/11/90, effective 2/26/90)

WAC 296-155-697 REQUIREMENTS FOR MASONRY CONSTRUCTION. (1) A limited access zone shall be established whenever a masonry wall is being constructed. The limited access zone shall conform to the following:

(2) The limited access zone shall be established prior to the start of construction of the wall.

(3) The limited access zone shall be equal to the height of the wall to be constructed plus four feet, and shall run the entire length of the wall.

(4) The limited access zone shall be established on the side of the wall which will be unscaffolded.

(5) The limited access zone shall be restricted to entry by employees actively engaged in constructing the wall. No other employees shall be permitted to enter the zone.

(6) The limited access zone shall remain in place until the wall is adequately supported to prevent overturning and to prevent collapse unless the height of wall is over eight feet, in which case, the limited access zone shall remain in place until the requirements of subsection (7) of this section have been met.

(7) All masonry walls over eight feet in height shall be adequately braced to prevent overturning and to prevent collapse unless the wall is adequately supported so that it will not overturn or collapse. The bracing shall remain in place until permanent supporting elements of the structure are in place.

(8) Employees engaged in cutting or chipping shall wear suitable eye protection in accordance with WAC 296-155-215.

(9) Masonry saws shall be constructed, guarded and operated in accordance with ~~((ANSI A10.9-1983 Safety requirements for concrete construction and masonry work and in accordance with))~~ WAC 296-155-367(1) through (4).

(10) Persons charged with operation of derricks used for stone setting shall be qualified in that type of work.

(11) Stone shall be set directly on the wall by the derrick.

(12) Breast derricks when used in setting stone shall be secured against a slip or kick back and guyed with wire cables. Provide hold down line to prevent derrick from falling back.

(13) Stone cutters shall wear goggles while trimming stone or cutting holes.

(14) Pins shall be tested for security before stone is hoisted.

(15) Hoisting cables shall be protected from chafing and wearing over corners.

(16) Mason's mortar mixers shall have a bar-type grill installed over the mixer opening. The guard shall be installed with an automatic disconnect switch to stop the mixer tub rotation and prevent the mixer from starting whenever the guard is not in place.

AMENDATORY SECTION (Amending Order 86-14, filed 1/21/86)

WAC 296-155-48531 VEHICLE MOUNTED ELEVATING AND ROTATING AERIAL DEVICES. (1) All applicable rules for design, construction, maintenance, operation, testing, and use of vehicle mounted elevating and rotating aerial devices shall be in accordance with ANSI A92.2-1979.

(2) Application: ~~((The requirements of this subsection shall be complied with for such equipment as required by the provisions of WAC 296-155-580))~~

(a) Aerial lifts acquired before February 21, 1986, which do not meet the requirements of ANSI A92.2-1979, may not be used after January 1, 1976, unless they shall have been modified so as to conform with the applicable design and construction requirements of ANSI A92.2-1969.

(b) Aerial devices include the following:

(i) Extensible boom platforms;

(ii) Aerial ladders;

(iii) Articulating boom platforms;

(iv) Vertical towers; and

(v) A combination of any of the above.

(3) Specification display. The aerial device shall have manufacturers statement clearly stating the minimum values for the following characteristics of vehicles required to provide a stable and structurally sound carrier for the aerial device:

(a) The front gross axle weight rating (GAWR front).

(b) The rear gross axle weight rating (GAWR rear).

(c) The gross vehicle weight rating (GVWR).

(d) The frame section modulus.

(e) The yield strength of the vehicle frame.

(f) The frame resisting bending moment (RBM).

(g) The wheelbase dimension (WB).

(h) The rear of cab to rear axle centerline dimension (CA).

(4) Data display: The following information shall be clearly state in the manufacturers manual and on the aerial device.

(a) Make and model.

(b) Rated load capacity.

(c) Aerial device height and reach.

(d) Maximum pressure of the hydraulic system and voltage of the electrical system.

(e) Cautions and restrictions of operations.

(5) Types of rated load: Rated load capacity is of two distinct types:

(a) The platform load consisting of the weight of personnel and all items carried on or in the platform.

(b) Supplemental loads which may be fixed directly to the boom(s), or to load-carrying attachments on the aerial device.

(i) The capacity rating in either case shall be designated with boom or booms extended to the position of maximum overturning moment attainable throughout full rotation of the pedestal.

(ii) Capacities of the aerial device in other positions shall be specified separately.

(iii) The manual and placards affixed to the aerial device shall state all applicable capacity ratings.

(6) Multiple configuration rated load. If the aerial device is specified in multiple configurations, these configurations shall be clearly described including the rated load capacity of each, in the manufacturers manual and on the aerial device. Examples of alternate configurations are:

(a) With outriggers extended to firm footing versus outriggers not extended.

(b) With chassis suspension locking device engaged versus disengaged.

(c) With one platform versus more than one platform.

(d) Used as a personnel-carrying device only versus used as a personnel-carrying and material-handling device.

(e) With extensible aerial device retracted or extended.

(f) With digger attached to boom versus with digger removed from boom. If the rated load capacity of the alternate configuration is related to an angle which a boom(s) makes with the horizontal, the manufacturer shall install a means by which the angle of the boom(s) can be determined.

(7) Maximum elevation determination: Height shall be determined at maximum elevation, from the floor of the platform to the ground, with the aerial device assumed to be mounted on a vehicle having a chassis frame height of thirty-six inches.

(8) Maximum reach determination: Reach, as a maximum, shall be measured in the horizontal plane, from the centerline of rotation to the outer edge (rail) of the platform.

(9) Insulated aerial devices.

(a) The aerial device manufacturers manual and instruction plate(s) shall clearly state whether the aerial device is insulated or noninsulated.

(b) In the case of insulated aerial devices.

(i) The manual and instruction plate(s) shall clearly state the qualification voltage for which the aerial device has been satisfactorily tested in accordance with this standard.

(ii) The manual and instruction plate(s) shall clearly state the design voltage for which the aerial device can be tested.

(iii) All components bridging the insulated portions of the aerial device shall have electrical insulating values consistent with the design voltage rating of the upper boom, and, when provided, of the lower insulator.

(iv) Test electrodes on articulating-boom aerial devices rated over 69 kV, and optionally at 69 kV, shall be installed permanently on the inside and outside surfaces of the insulated portion of the upper boom for the purposes of monitoring electrical leakage current.

(v) The test electrodes shall be two to six inches from the metal portion of the lower end of the insulated upper boom.

(vi) All hydraulic and pneumatic lines bridging the insulated portion of the upper boom shall have metallic couplings which connect the inside and outside of any hose and shall be adjacent to the insulated boom test electrodes.

(vii) The test electrode on the outside surface of the insulated boom on extensible-boom aerial devices shall be removable.

(viii) The location of the removable test electrode shall be permanently marked or recorded to facilitate repeating future tests of the apparatus.

(10) Quality control. The design and manufacture of the aerial device shall comply with the principles outlined in this subsection. The manufacture of the aerial device shall include a quality control system which will ensure compliance with ANSI A92.2-1979 and this standard. The drawings and manual shall specify those welds that are considered critical and that must conform to the following standards:

(a) Structural Welding Code, AWS D1.1-1979.

(b) Specifications for Welding Industrial and Mill Cranes, AWS D14.1-1970.

(c) Standards for Qualifications of Welding Procedures and Welders for Piping and Tubing, AWS D10.9-1969.

(i) The manufacture and installation of aerial devices shall include applicable welding quality control procedures for all weldments.

(ii) Methods of nondestructive testing shall be described in the quality control procedures.

(iii) The quality control procedures shall designate the welds to be examined, the extent of examination, and the method of testing.

(iv) Appropriate inspection methods of welds are recommended by the American Welding Society.

(v) The structural load-supporting elements of the aerial device which support the platform, and which are made of a ductile material, shall have a design stress of not more than fifty percent of the minimum yield strength of the material, based on the combined rated load and weight of the support structure.

(vi) The structural load-supporting elements of the aerial device which support the platform, and which are made of a nonductile material, shall have a design stress of not more than twenty percent of the minimum ultimate strength of the material, based on the combined rated load and weight of the support structure.

(vii) The same structural safety factors stated above shall also apply to the platform.

(11) Aerial lift specification. Articulating-boom and extensible-boom aerial devices primarily designed as personnel carriers shall have both upper and lower controls.

(a) Upper controls shall be in or beside the platform, readily visible to the operator, and protected from damage and inadvertent actuation.

(b) Lower controls shall be easily accessible and shall provide for overriding the upper controls.

(c) These and all other controls shall be plainly identified as to their function.

(d) The controls shall return to their neutral position when released by the operator.

(e) Vehicle-mounted articulating and telescoping cranes or derricks equipped with accessory platforms need not have controls at the platform station.

(f) Aerial ladders that are designed and manufactured with upper controls shall comply with the requirements of this subsection.

(g) Mechanical ladders that are counterbalanced for ease in raising to, and lowering from, an operating position shall be equipped with a locking device to secure the ladder in the lower traveling position.

(h) Each aerial device, when mounted on a vehicle meeting the manufacturer's minimum vehicle specifications, and used in a specific configuration, shall comprise a mobile unit capable of sustaining a static load one and one-half times its rated load capacity, in every position in which the load can be placed within the definition of the specific configuration, when the vehicle is on a firm and level surface. If having the outriggers extended to a firm footing is part of the definition of the configuration, they shall be extended to provide leveling for the purpose of determining whether the mobile unit meets the stability requirements.

(i) Each aerial device, when mounted on a vehicle meeting the manufacturer's minimum vehicle specifications, and used in a specific configuration, shall comprise a mobile unit capable of sustaining a static load one and one-third times its rated load capacity in every position in which the load can be placed within the definition of the specific configuration when the vehicle is on a slope of five degrees downward in the direction most likely to cause overturning. If having the outriggers extended to a firm footing is part of the definition of the configuration, they shall be extended to provide leveling for the purpose of determining whether the mobile unit meets the stability requirements.

(j) If other facilities, such as a means of turntable leveling, are provided to minimize the effect of the sloping surface, then those facilities shall be utilized for the purpose of determining whether the mobile unit meets the stability requirements.

(k) Vertical towers designed specifically for operation only on a level surface shall be excluded from this requirement.

(l) None of the stability tests described in this subsection shall produce instability of the mobile unit as defined herein or cause permanent deformation of any component.

(m) The lifting of a tire or outrigger on the opposite side of the load does not necessarily indicate a condition of instability.

(12) Hydraulic components.

(a) All hydraulic components whose failure could result in free and unrestricted motion of the boom(s) shall have a minimum bursting

strength of at least four times the operating pressure for which the system is designed.

(b) All hydraulic components normally rated according to bursting strength, such as hose, tubing, and fittings, shall have a minimum bursting strength of at least three times the operating pressure for which the system is designed.

(c) All hydraulic components normally rated according to performance criteria, such as rated flow and pressure, life cycles, pressure drop, rpm, torque, and speed, shall have a minimum bursting strength of at least two times the operating pressure for which the system is designed. Such components generally include pumps, motors, directional controls, and similar functional components.

(13) Power failure.

(a) Where the operation of the aerial device is accomplished by hydraulic means, the system shall be equipped with appropriate devices to prevent free and unrestricted motion of the aerial device in the event of hydraulic line failure.

(b) Where the operation of the aerial device is accomplished electrically, the system shall be designed to prevent free and unrestricted motion in the event of generator or power failure.

(c) This protection shall also apply to components used to stabilize a mobile unit where a system failure would result in instability.

(14) Platforms.

(a) Platform walls shall be approximately forty-two inches plus or minus three inches high when buckets or baskets are used as platforms, or the platforms shall be provided with a rail or other device around the periphery that also shall be approximately forty-two inches plus or minus three inches above the floor with a midrail and a kick plate that is at least four inches high, or its equivalent.

(b) A means shall be provided that allows personnel to attach a safety strap or lanyard to the platform or boom.

(c) Steps of all platforms shall be provided with nonskid surfaces.

(d) The platform wall height of any unit made in conformance with ANSI A92.2-1979 shall be acceptable.

(e) After the effective date of this standard, units shall conform to the requirements of this subsection.

(f) Platforms with folding-type floors and steps or rungs may be used without rails and kick plates if a method is provided to allow personnel equipped with a body belt and safety strap or lanyard to attach themselves to the platform or boom.

(g) Platforms for aerial ladders shall have a kick plate at least four inches high or its equivalent, around three sides of the platform.

(h) Provision shall be made to allow personnel equipped in accordance with WAC 296-155-225 with a body belt and safety strap or lanyard to attach themselves to the ladder rail.

(15) Specifications display. The aerial device shall have identification, operation, and instruction placards, decals, plates, or the equivalent, which are legible, permanent, and readily visible. There shall be installed on each aerial device applicable markings or provide these markings with appropriate installation instructions. The markings on the aerial device shall not be removed, defaced, or altered. All missing or defective markings shall be replaced.

(a) An aerial device shall have the following markings:

(i) Identification markings.

(ii) Operation markings.

(iii) Instruction markings.

(b) Aerial devices shall have markings to indicate the following:

(i) Make.

(ii) Model.

(iii) Insulated or noninsulated.

(iv) Qualification voltage and date of test.

(v) Serial number.

(vi) Rated load capacity.

(vii) Height.

(viii) Aerial device system pressure or aerial device system voltage, or both.

(c) Aerial devices shall have markings describing the function of each control. Markings shall be determined by the manufacturer or the manufacturer and user jointly to indicate hazards inherent in the operation of an aerial device and those hazards for which the aerial device does not provide protection. The following instruction markings shall be provided for:

(i) Electrical hazards involved in the operation of the machine to warn that an aerial device does not provide protection to the operator from contact with or in proximity to an electrically charged conductor when he is in contact with or in proximity to another conductor.

(ii) Electrical hazards involved in the operation of the machine to warn that an aerial device, when working on or in proximity to energized conductors, shall be considered energized, and that contact with the aerial device or vehicle under those conditions may cause serious injuries.

(iii) Hazards that result from failure to operate the equipment in a prescribed manner.

(iv) Information related to the use and load rating of the equipment for material handling.

(v) Information related to the use and load rating of the aerial device for alternate configurations.

(vi) Information related to operator cautions.

(d) The color, format, and substance shall conform to:

(i) American National Standard for Accident Prevention Signs, ANSI Z35.1-1972.

(ii) American National Standard for Accident Prevention Tags, ANSI Z35.2-1968.

(iii) American National Standard for Informational Signs Complementary to ANSI Z35.1-1972 Accident Prevention Signs, ANSI Z35.4-1973.

(16) Testing of new aerial devices: In addition to the manufacturer's prototype tests and quality control measures, each new aerial device, including mechanisms, shall be tested to the extent necessary to ensure compliance with the operational requirements of this subsection.

(a) Operational tests shall include the following:

(i) Boom(s) elevating and lowering mechanism.

(ii) Boom extension mechanism.

(iii) Rotating mechanism.

(iv) Stability tests.

(v) Safety devices.

(b) A visual inspection of the finished unit shall be made to determine whether the operational test has produced an adverse effect on any component. Whoever mounts an aerial device upon a vehicle shall, before the mobile unit is placed in operation, perform stability tests in accordance with the requirements of subsection (11) of this section, and the operational and visual tests in accordance with this subsection.

(17) Electrical tests: All electrical tests shall be performed in accordance with ANSI A92.2-1979.

(18) Test reports: A certified report of the tests, specified in this subsection, signed by a registered professional engineer, or an equivalent entity shall be provided with each unit.

(19) Manual requirement: Aerial devices shall comply with the requirements of this standard and shall be provided with manuals. The manuals shall contain:

(a) Descriptions, specifications, and ratings of the aerial device.

(b) The maximum system pressure and the maximum voltage of electrical systems which are part of the aerial device.

(c) Instructions regarding operation, maintenance, and specified welds.

(d) Replacement part information.

(e) Instructions for installing or mounting the aerial device.

(20) Inspections:

(a) Prior to initial use, all new or modified mobile units shall be inspected and tested by the owners and users to ensure compliance with the provisions of this standard and ANSI A92.2-1979.

(b) The inspection procedure for mobile units in regular service is divided into two classifications based upon the intervals at which inspections and tests shall be performed. Safe intervals shall be set by the user, within the limits recommended by the manufacturer, and are dependent upon the nature of the critical components of the mobile unit and the degree of their exposure to wear, deterioration, or malfunction. The two classifications are designated as "frequent" and "periodic" with respective intervals between inspections and tests, as defined below:

(i) Frequent inspection and test: Daily to monthly intervals, or before use, if not used regularly.

(ii) Periodic inspection and test: One to twelve month intervals.

(21) Frequent inspections: Items such as, but not limited to the following shall be inspected for defects at the intervals as defined in subsection (20)(b)(i) of this section or as specifically indicated, including observation during operation, for any defects which might appear between regular inspections. These tests and inspections shall be performed by the operator. Any suspected items shall be carefully examined and a determination made by a qualified person as to whether they constitute a safety hazard. All unsafe items shall be corrected before further use.

(a) Operating controls and associated mechanisms for conditions interfering with proper operation.

(b) Operating controls and associated mechanisms for excessive component wear and contamination by foreign material.

(c) Visual and audible safety devices for malfunction.

(d) Hydraulic or pneumatic systems for observable deterioration or excessive leakage.

(e) Fiberglass and other insulating components for visible damage or contamination.

(f) Electrical apparatus for malfunction, signs of excessive, dirt, and moisture accumulation.

(22) Periodic inspection. An inspection of the mobile unit shall be performed at the intervals defined in subsection (20)(b)(ii) of this section, depending upon its activity, severity of service, and environment, or as specifically indicated below. Any suspect items shall be carefully examined and a determination made by a qualified person as to whether they constitute a safety hazard. All unsafe items shall be corrected before further use. Nondestructive inspection and testing methods shall be used where there are questionable structural components.

(a) Deformed, cracked, or corroded members in the aerial device structure.

(b) Worn, cracked or distorted parts, such as pins, bearings, shafts, gears, rollers, locking devices, chains, chain sprockets, wire ropes, and sheaves.

(c) Hydraulic and pneumatic relief valve settings.

(d) Hydraulic system for proper oil level.

(e) Hydraulic and pneumatic fittings, hoses, and tubing for evidence of leakage, abnormal deformation, or excessive abrasion.

(f) Compressors, pumps, motors, and generators for loose fasteners, leaks, unusual noises or vibrations, loss of operating speed, and excessive heating.

(g) Hydraulic and pneumatic valves for cracks in the valve housing, leaks, and sticking spools.

(h) Hydraulic and pneumatic cylinders and holding valves for malfunction and visible damage.

(i) Hydraulic and pneumatic filters for cleanliness and the presence of foreign material in the system indicating other component deterioration.

(j) Performance test of all boom movements.

(k) Condition and tightness of bolts and other fasteners.

(l) Welds, as specified by the manufacturer.

(m) Legible and proper markings of controls, ratings, and instructions.

(23) Electrical insulation rating tests: If the aerial device is considered, rated, and used as an insulated device, the electrical insulating components and system, after a thorough inspection for lack of cleanliness and other hazards, shall be tested for compliance with the rating of the aerial device in accordance with one of the following applicable methods and procedures:

(a) In accordance with section 5.2 of ANSI A92.2-1979 where adequate test facilities are available.

(b) In the field if the aerial device is equipped with electrical test electrodes. The insulated boom may be raised into a high voltage line whose voltage is as high as or higher than the voltage to be worked but not exceeding the design voltage of the aerial device. The electrical leakage current shall not exceed 1 microampere per line to ground per kilovolt applied.

(c) For units rated 69 kV and under, by placing a fused and protected ammeter in the circuit between a test powerline and the conductive metal assembly at the bucket end of the insulated boom.

(i) The lower end of the boom section to be tested shall be grounded.

(ii) The ammeter shall be shielded from any stray electrical currents, and shall give the measurement of any leakage current across the boom and controls, or any capacitive currents involved from the platform to ground, or both.

(iii) The minimum voltage of the test line shall be that of any circuit on which the aerial device is to be used but not exceeding the design voltage of the aerial device.

(iv) During a three minute test period, the total current through the ammeter shall not exceed the following limits at the corresponding rated line voltages:

Line Voltage (kV)	Maximum Current (Microamperes)
69	1000
34.5	500
13.2	200

(d) For units rated 69 kV and under and not used for bare hand application, a dc test voltage and procedure shall be used. The dc potential and leakage current limit shall be specified by the aerial device manufacturer or an equivalent entity.

(e) For platform liners, a retest at seventy percent of the original factory test voltage in accordance with the procedures of section 5.2.2.5 of ANSI A92.2-1979, or the equivalent shall be made.

(f) All electrical tests shall be performed only by qualified persons who are aware of the dangers.

(24) Inspection documentation:

(a) A check sheet or list of items to be inspected shall be provided to the operator or other authorized person for use in making frequent inspections. Records of frequent inspections need not be made. However, where a safety hazard is found, it shall be reported in writing to a person responsible for the corrective action and that report and a record of the correction shall be maintained.

(b) Written, dated, and signed reports and records shall be made of periodic inspections and tests and retained for a period of time consistent with need. Records shall be readily available. Manufacturer's recommendations as to the necessity and frequency of maintenance shall be followed.

(25) Modifications: No modifications or additions which affect the mechanical, hydraulic, or electrical integrity or the safe operation of the aerial device shall be made without the written approval of the manufacturer or an equivalent entity.

(a) If such modification or changes are made, the capacity, operation, and maintenance instruction markings shall be changed accordingly.

(b) In no case shall the safety factors be reduced below those specified in this standard, ANSI A92.2-1979, or below the manufacturer's design factors, whichever are greater.

(c) Changes in loading or additions made to the mobile unit after the final acceptance that affect weight distribution shall meet applicable loading regulations of the National Traffic and Motor Vehicle Safety Act of 1966 sections on Certification.

(26) Qualified operators: The user shall select and authorize only those persons qualified by training or experience, or both, to operate the aerial devices. Each operator shall be instructed in the safe and proper operation of the aerial device in accordance with the manufacturer's operator's manual and the user's work instructions.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 296-155-580 AERIAL LIFTS.

AMENDATORY SECTION (Amending Order 89-20, filed 1/11/90, effective 2/26/90)

WAC 296-155-680 GENERAL PROVISIONS. (1) General. All equipment, material and construction techniques used in concrete construction and masonry work shall meet the applicable requirements for design, construction, inspection, testing, maintenance and operations as prescribed in ANSI A10.9-1970, Safety Requirements for Concrete Construction and Masonry Work.

(2) Construction loads. No construction loads shall be placed on a concrete structure or portion of a concrete structure unless the employer determines, based on information received from a person who is qualified in structural design, that the structure or portion of the structure is capable of supporting the loads.

(3) Vertical loads. Vertical loads consist of a dead load plus an allowance for live load. The weight of formwork together with the weight of freshly placed concrete is dead load. The live load consists of the weight of workmen, equipment, runways and impact, and shall be computed in pounds per square foot (psf) of horizontal projection.

(4) Lateral loads. Braces and shores shall be designed to resist all foreseeable lateral loads such as wind, cable tensions, inclined supports, impact of placement, and starting and stopping of equipment. The assumed value of load due to wind, impact of concrete, and equipment acting in any direction at each floor line shall not be less than one hundred pounds per lineal foot of floor edge or two percent of total dead load of the floor, whichever is greater. Wall forms shall be designed for a minimum wind load of ten psf, and bracing for wall forms should be designed for a lateral load of at least one hundred pounds per lineal foot of wall, applied at the top. Walls of unusual height require special consideration.

(5) Special loads. Formwork shall be designed for all special conditions of construction likely to occur, such as unsymmetrical placement of concrete, impact of machine-delivered concrete, uplift, and concentrated loads.

~~(6) ((Construction loads. Imposition of any construction loads on the partially completed structure shall not be permitted unless such loading has been considered in the design and approved by the engineer-architect.~~

~~(7))~~ Form supports and wedges shall be checked during concrete placement to prevent distortion or failure.

~~((8))~~ (7) Reinforcing steel.

~~(a) ((Employees shall not be permitted to work above vertically protruding reinforcing steel unless it has been protected)) All protruding reinforcing steel, onto and into which employees could fall, shall be guarded to eliminate the hazard of impalement.~~

Note: Acceptable methods to meet this requirement to prevent impalement will be to secure a plank or platform over the vertical ends of the reinforcing steel bars or to bend bars over to the extent they would be horizontal instead of vertical.

(b) Wire mesh rolls: Wire mesh rolls shall be secured at each end to prevent dangerous recoiling action.

(c) Guying: Reinforcing steel for walls, piers, columns, and similar vertical structures shall be guyed and supported to prevent overturning and to prevent collapse.

~~((9))~~ (8) Post-tensioning operations.

(a) No employee (except those essential to the post-tensioning operations) shall be permitted to be behind the jack during tensioning operations.

(b) Signs and barriers shall be erected to limit employee access to the post-tensioning area during tensioning operations.

~~((10))~~ (9) Working under loads.

(a) No employee shall be permitted to work under concrete buckets while buckets are being elevated or lowered into position.

(b) To the extent practical, elevated concrete buckets shall be routed so that no employee, or the fewest number of employees, are exposed to the hazards associated with falling concrete buckets.

~~((11))~~ (10) Personal protective equipment.

(a) No employee shall be permitted to apply a cement, sand, and water mixture through a pneumatic hose unless the employee is wearing protective head and face equipment.

(b) No employee shall be permitted to place or tie reinforcing steel more than six feet (1.8 m) above any adjacent working surface unless the employee is protected by the use of a safety belt or equivalent fall protection meeting the criteria of WAC 296-155-225.

AMENDATORY SECTION (Amending Order 83-34, filed 11/30/83)

WAC 296-305-015 INJURY AND ILLNESS REPORT FOR FIRE FIGHTERS. (1) Notice of injury or illness;

(a) Whenever an occupational accident causes injury or illness to a fire fighter or other employee, or whenever a fire fighter or other employee becomes aware of an illness apparently caused by occupational exposure, it shall be the duty of such a fire fighter or other employee, or someone on his behalf, to report the injury or illness to the employer before the end of his duty period or not later than 24 hours. ~~((The employer shall report the accident or illness to the division of industrial safety and health, at least quarterly.))~~

EXCEPTION: In the event that symptoms of an occupational injury or illness are not apparent at the time of the accident, the employee shall report the symptoms to his employer within 48 hours after becoming aware of the injury or illness.

(b) Whenever an injury occurs to a fire fighter or other employee while on duty and the injury results in a fatality, or probable fatality, the employer shall report the accident to the division of industrial safety and health by the fastest means available.

(2) Recordkeeping - written reports; all fire service employers shall maintain records and reports.

(3) An annual summary of the statistics tabulated in items (1) (a), (b), and (2) above shall be maintained by the department of labor and industries.

NEW SECTION

WAC 296-62-400 OCCUPATIONAL EXPOSURE TO HAZARDOUS CHEMICALS IN LABORATORIES. Reserved.

NEW SECTION

WAC 296-62-40001 SCOPE AND APPLICATION. (1) This section shall apply to all employers and employees engaged in the laboratory use of hazardous chemicals as follows:

(a) Where this section applies, it shall supersede, for laboratories, the requirements of all other WISHA health standards in chapter 296-62 WAC, except for any WISHA health standard, only the requirement to limit employee exposure to the specific permissible exposure limit shall apply for laboratories, unless that particular standard states otherwise or unless the conditions of subdivision (c) of this section apply.

(b) Prohibition of eye and skin contact where specified by any WISHA health standard shall be observed.

(c) Where the action level (or in the absence of an action level, the permissible exposure limit) is routinely exceeded for a WISHA regulated substance with exposure monitoring and medical surveillance requirements, of WAC 296-62-40007.

(2) This section shall not apply to:

(a) Uses of hazardous chemicals which do not meet the definition of laboratory use, and in such cases, the employer shall comply with the relevant standard in WAC 296-62-075, even if such use occurs in a laboratory.

(b) Laboratory uses of hazardous chemicals which provide no potential for employee exposure. Examples of such conditions might include:

(i) Procedures using chemically-impregnated test media such as Dip-and-Read tests where a reagent strip is dipped into the specimen to be tested and the results are interpreted by comparing the color reaction to a color chart supplied by the manufacturer of the test strip; and

(ii) Commercially prepared kits such as those used in performing pregnancy tests in which all of the reagents needed to conduct the test are contained in the kit.

NEW SECTION

WAC 296-62-40003 DEFINITIONS APPLICABLE TO ALL SECTIONS OF THIS CHAPTER. Unless the context indicates otherwise, words used in this chapter shall have the meaning given in this section.

(1) "Action level" means a concentration designated in WAC 296-62-075 for a specific substance, calculated as an 8-hour time-weighted average, which initiates certain required activities such as exposure monitoring and medical surveillance.

(2) "Carcinogen" (see "select carcinogen").

(3) "Chemical hygiene officer" means an employee who is designated by the employer, and who is qualified by training or experience, to provide technical guidance in the development and implementation of the provisions of the chemical hygiene plan. This definition is not intended to place limitations on the position description or job classification that the designated individual shall hold within the employer's organizational structure.

(4) "Chemical hygiene plan" means a written program developed and implemented by the employer which sets forth procedures, equipment, personal protective equipment, and work practices that are capable of protecting employees from the health hazards presented by hazardous chemicals used in that particular workplace and meets the requirements of WAC 296-62-40009.

(5) "Combustible liquid" means any liquid having a flashpoint at or above 100°F (37.8°C), but below 200°F (93.3°C), except any mixture having components with flashpoints of 200°F (93.3°C), or higher, the total volume of which make up 99 percent or more of the total volume of the mixture.

(6) "Compressed gas" means:

(a) A gas or mixture of gases having, in a container, an absolute pressure exceeding 40 psi at 70°F (21.1°C); or

(b) A gas or mixture of gases having, in a container, an absolute pressure exceeding 104 psi at 130°F (54.4°C) regardless of the pressure at 70°F (21.1°C); or

(c) A liquid having a vapor pressure exceeding 40 psi at 100°F (37.8°C) as determined by ASTM D-323-72.

(7) "Designated area" means an area which may be used for work with "select carcinogens," reproductive toxins or substances which have a high degree of acute toxicity. A designated area may be the entire laboratory, an area of a laboratory or a device such as a laboratory hood.

(8) "Director" means the director of the department of labor and industries or his/her designee.

(9) "Emergency" means any occurrence such as, but not limited to, equipment failure, rupture of containers or failure of control equipment which results in an uncontrolled release of a hazardous chemical into the workplace.

(10) "Employee" means an individual employed in a laboratory workplace who may be exposed to hazardous chemicals in the course of his or her assignments.

(11) "Explosive" means a chemical that causes a sudden, almost instantaneous release of pressure, gas, and heat when subjected to sudden shock, pressure, or high temperature.

(12) "Flammable" means a chemical that falls into one of the following categories:

(a) "Aerosol, flammable" means an aerosol that, when tested by the method described in 16 C.F.R. 1500.45, yields a flame protection exceeding 18 inches at full valve opening, or a flashback (a flame extending back to the valve) at any degree of valve opening;

(b) "Gas, flammable" means:

(i) A gas that, at ambient temperature and pressure, forms a flammable mixture with air at a concentration of 13 percent by volume or less; or

(ii) A gas that, at ambient temperature and pressure, forms a range of flammable mixtures with air wider than 12 percent by volume, regardless of the lower limit.

(c) "Liquid, flammable" means any liquid having a flashpoint below 100°F (37.8°C), except any mixture having components with flashpoints of 100°F (37.8°C) or higher, the total of which make up 99 percent or more of the total volume of the mixture.

(d) "Solid, flammable" means a solid, other than a blasting agent or explosive as defined in WAC 296-52-417, that is liable to cause fire through friction, absorption of moisture, spontaneous chemical change, or retained heat from manufacturing or processing, or which can be ignited readily and when ignited burns so vigorously and persistently as to create a serious hazard. A chemical shall be considered to be a flammable solid if, when tested by the method described in 16 C.F.R. 1500.44, it ignites and burns with a self-sustained flame at a rate greater than one-tenth of an inch per second along its major axis.

(13) "Flashpoint" means the minimum temperature at which a liquid gives off a vapor in sufficient concentration to ignite when tested as follows:

(a) Tagliabue Closed Tester (see American National Standard Method of Test for Flash Point by Tag Closed Tester, Z11.24-1979 (ASTM D 56-79))—for liquids with a viscosity of less than 45 Saybolt Universal Seconds (SUS) at 100 deg.F (37.8°C), that do not contain suspended solids and do not have a tendency to form a surface film under test; or

(b) Pensky-Martens Closed Tester (see American National Standard Method of Test for Flash Point by Pensky-Martens Closed Tester, Z11.7-1979 (ASTM D 93-79))—for liquids with a viscosity equal to or greater than 45 SUS at 100 deg.F (37.8°C), or that contain suspended solids, or that have a tendency to form a surface film under test; or

(c) Setafash Closed Tester (see American National Standard Method of Test for Flash Point by Setafash Closed Tester (ASTM D 3278-78)).

Note: Organic peroxides, which undergo autoaccelerating thermal decomposition, are excluded from any of the flashpoint determination methods specified above.

(14) "Hazardous chemical" means a chemical for which there is statistically significant evidence based on at least one study conducted in accordance with established scientific principles that acute or chronic health effects may occur in exposed employees. The term "health hazard" includes chemicals which are carcinogens, toxic or highly toxic agents, reproductive toxins, irritants, corrosives, sensitizers, hepatotoxins, nephrotoxins, neurotoxins, agents which act on the hematopoietic systems, and agents which damage the lungs, skin, eyes, or mucous membranes.

Note: Appendices A and B of the Hazard Communication Standard (WAC 296-62-054) provide further guidance in defining the scope of health hazards and determining whether or not a chemical is to be considered hazardous for purposes of this standard.

(15) "Laboratory" means a facility where the "laboratory use of hazardous chemicals" occurs. It is a workplace where relatively small quantities of hazardous chemicals are used on a nonproduction basis.

(16) "Laboratory scale" means work with substances in which the containers used for reactions, transfers, and other handling of substances are designed to be easily and safely manipulated by one person. "Laboratory scale" excludes those workplaces whose function is to produce commercial quantities of materials.

(17) "Laboratory-type hood" means a device located in a laboratory, enclosure on five sides with a moveable sash or fixed partial enclosed on the remaining side; constructed and maintained to draw air from the laboratory and to prevent or minimize the escape of air contaminants into the laboratory; and allows chemical manipulations to be conducted in the enclosure without insertion of any portion of the employee's body other than hands and arms.

Note: Walk-in hoods with adjustable sashes meet the above definition provided that the sashes are adjusted during use so that the airflow and the exhaust of air contaminants are not compromised and employees do not work inside the enclosure during the release of airborne hazardous chemicals.

(18) "Laboratory use of hazardous chemicals" means handling or use of such chemicals in which all of the following conditions are met:

- (a) Chemical manipulations are carried out on a "laboratory scale";
- (b) Multiple chemical procedures or chemicals are used;
- (c) The procedures involved are not part of a production process, nor in any way simulate a production process; and
- (d) "Protective laboratory practices and equipment" are available and in common use to minimize the potential for employee exposure to hazardous chemicals.

(19) "Medical consultation" means a consultation which takes place between an employee and a licensed physician for the purpose of determining what medical examinations or procedures, if any, are appropriate in cases where a significant exposure to a hazardous chemical may have taken place.

(20) "Organic peroxide" means an organic compound that contains the bivalent -O-O-structure and which may be considered to be a structural derivative of hydrogen peroxide where one or both of the hydrogen atoms has been replaced by an organic radical.

(21) "Oxidizer" means a chemical other than a blasting agent or explosive as defined in WAC 296-52-417, that initiates or promotes combustion in other materials, thereby causing fire either of itself or through the release of oxygen or other gases.

(22) "Physical hazard" means a chemical for which there is scientifically valid evidence that it is a combustible liquid, a compressed gas, explosive, flammable, an organic peroxide, an oxidizer, pyrophoric, unstable (reactive) or water-reactive.

(23) "Protective laboratory practices and equipment" means those laboratory procedures, practices, and equipment accepted by laboratory health and safety experts as effective, or that the employer can show to be effective, in minimizing the potential for employee exposure to hazardous chemicals.

(24) "Reproductive toxins" means chemicals which affect the reproductive capabilities including chromosomal damage (mutations) and effects on fetuses (teratogenesis).

(25) "Select carcinogen" means any substance which meets one of the following criteria:

- (a) It is regulated by WISHA as a carcinogen; or
- (b) It is listed under the category, "known to be carcinogens," in the Annual Report on Carcinogens published by the National Toxicology Program (NTP) (latest edition); or
- (c) It is listed under Group I ("carcinogenic to humans") by the International Agency for Research on Cancer Monographs (IARC) (latest editions); or
- (d) It is listed in either Group 2A or 2B by IARC or under the category, "reasonably anticipated to be carcinogens" by NTP, and causes statistically significant tumor incidence in experimental animals in accordance with any of the following criteria:
 - (i) After inhalation exposure of 6-7 hours per day, 5 days per week, for a significant portion of a lifetime to dosages of less than 10 mg/m³; or
 - (ii) After repeated skin application of less than 300 (mg/kg of body weight) per week; or
 - (iii) After oral dosages of less than 50 mg/kg of body weight per day.

(26) "Unstable (reactive)" means a chemical which is the pure state, or as produced or transported, will vigorously polymerize, decompose, condense, or will become self-reactive under conditions of shock, pressure, or temperature.

(27) "Water-reactive" means a chemical that reacts with water to release a gas that is either flammable or presents a health hazard.

NEW SECTION

WAC 296-62-40005 PERMISSIBLE EXPOSURE LIMITS. For laboratory uses of WISHA regulated substances, the employer shall assure that laboratory employees' exposures to such substances do not exceed the permissible exposure limits specified in WAC 296-62-075.

NEW SECTION

WAC 296-62-40007 EMPLOYEE EXPOSURE DETERMINATION. (1) Initial monitoring. The employer shall measure the employee's exposure to any substance regulated by a standard which requires monitoring if there is reason to believe that exposure levels for that substance routinely exceed the action level (or in the absence of an action level, the PEL).

(2) Periodic monitoring. If the initial monitoring prescribed by subsection (1) of this section discloses employee exposure over the action level (or in the absence of an action level, the PEL), the employer shall immediately comply with the exposure monitoring provisions of chapter 296-62 WAC.

(3) Termination of monitoring. Monitoring may be terminated in accordance with chapter 296-62 WAC.

(4) Employee notification of monitoring results. The employer shall, within 15 working days after the receipt of any monitoring results, notify the employee of these results in writing either individually or by posting results in an appropriate location that is accessible to employees.

NEW SECTION

WAC 296-62-40009 CHEMICAL HYGIENE PLAN—GENERAL. (1) Where hazardous chemicals as defined by this standard are used in the workplace, the employer shall develop and carry out the provisions of a written chemical hygiene plan which is:

(a) Capable of protecting employees from health hazards associated with hazardous chemicals in that laboratory; and

(b) Capable of keeping exposures below the limits specified in WAC 296-62-40005.

(2) The chemical hygiene plan shall be readily available to employees, employee representatives and, upon request, to the director of the department of labor and industries.

(3) The chemical hygiene plan shall include each of the following elements and shall indicate specific measures that the employer will take to ensure laboratory employee protection:

(a) Standard operating procedures for safety and health considerations to be followed when laboratory work involves the use of hazardous chemicals;

(b) Criteria that the employer will use to determine and implement control measures to reduce employee exposure to hazardous chemicals including engineering controls, the use of personal protective equipment, and hygiene practices. Particular attention shall be given to the selection of control measures for chemicals that are known to be extremely hazardous;

(c) A requirement that fume hoods and other protective equipment are functioning properly and specific measures that shall be taken to ensure proper and adequate performance of such equipment;

(d) Provisions for employee information and training as prescribed in WAC 296-62-40011;

(e) The circumstances under which a particular laboratory operation, procedure, or activity shall require prior approval from the employer or the employer's designee before implementation;

(f) Provisions for medical consultation and medical examinations in accordance with WAC 296-62-40013;

(g) Designation of personnel responsible for implementation of the chemical hygiene plan including the assignment of a chemical hygiene officer and, if appropriate, establishment of a chemical hygiene committee; and

(h) Provisions for additional employee protection for work with particularly hazardous substances. These include "select carcinogens," reproductive toxins and substances which have a high degree of acute toxicity. Specific consideration shall be given to the following provisions which shall be included where appropriate:

(i) Establishment of a designated area;

(ii) Use of containment devices such as fume hoods or glove boxes;

(iii) Procedures for safe removal of contaminated waste; and

(iv) Decontamination procedures.

(4) The employer shall review and evaluate the effectiveness of the chemical hygiene plan at least annually and update it as necessary.

(5) Appendix A of this section is nonmandatory but provides guidance to assist employers in the development of the chemical hygiene plan.

NEW SECTION

WAC 296-62-40011 EMPLOYEE INFORMATION AND TRAINING. (1) The employer shall provide employees with information and training to ensure that they are apprised of the hazards of chemicals present in their work area.

(2) Such information shall be provided at the time of an employee's initial assignment to a work area where hazardous chemicals are present and prior to assignments involving new exposure situations. The frequency of refresher information and training shall be determined by the employer.

(3) Information. Employees shall be informed of:

(a) The contents of this standard and its appendices which shall be made available to employees;

(b) The location and availability of the employer's chemical hygiene plan;

(c) The permissible exposure limits for WISHA regulated substances or recommended exposure limits for other hazardous chemicals where there is no applicable WISHA standard;

(d) Signs and symptoms associated with exposures to hazardous chemicals used in the laboratory; and

(e) The location and availability of known reference material on the hazards, safe handling, storage, and disposal of hazardous chemicals found in the laboratory including, but not limited to, material safety data sheets received from the chemical supplier.

(4) Training. Employee training shall include:

(a) Methods and observations that may be used to detect the presence or release of a hazardous chemical (such as monitoring conducted by the employer, continuous monitoring devices, visual appearance or odor of hazardous chemicals when being released, etc.);

(b) The physical and health hazards of chemicals in the work area; and

(c) The measures employees can take to protect themselves from these hazards, including specific procedures the employer has implemented to protect employees from exposure to hazardous chemicals, such as appropriate work practices, emergency procedures, and personal protective equipment to be used.

(5) The employee shall be trained on the applicable details of the employer's written chemical hygiene plan.

NEW SECTION

WAC 296-62-40013 MEDICAL CONSULTATION AND MEDICAL EXAMINATIONS. (1) The employer shall provide all employees who work with hazardous chemicals an opportunity to receive medical attention, including any follow-up examinations which the examining physician determines to be necessary, under the following circumstances:

(a) Whenever an employee develops signs or symptoms associated with a hazardous chemical to which the employee may have been exposed in the laboratory, the employee shall be provided an opportunity to receive an appropriate medical examination.

(b) Where exposure monitoring reveals an exposure level routinely above the action level (or in the absence of an action level, the PEL) for a WISHA regulated substance for which there are exposure monitoring and medical surveillance requirements, medical surveillance shall be established for the affected employee as prescribed by the particular standard.

(c) Whenever an event takes place in the work area such as a spill, leak, explosion, or other occurrence resulting in the likelihood of a hazardous exposure, the affected employee shall be provided an opportunity for a medical consultation. Such consultation shall be for the purpose of determining the need for a medical examination.

(2) All medical examinations and consultations shall be performed by or under the direct supervision of a licensed physician and shall be provided without cost to the employee, without loss of pay and at a reasonable time and place.

(3) Information provided to the physician. The employer shall provide the following information to the physician:

(a) The identity of the hazardous chemical(s) to which the employee may have been exposed;

(b) A description of the conditions under which the exposure occurred including quantitative exposure data, if available; and

(c) A description of the signs and symptoms of exposure that the employee is experiencing, if any.

(4) Physician's written opinion.

(a) For examination or consultation required under this standard, the employer shall obtain a written opinion from the examining physician which shall include the following:

(i) Any recommendation for further medical follow-up;

(ii) The results of the medical examination and any associated tests;

(iii) Any medical condition which may be revealed in the course of the examination which may place the employee at increased risk as a result of exposure to a hazardous chemical found in the workplace; and

(iv) A statement that the employee has been informed by the physician of the results of the consultation or medical examination and any medical condition that may require further examination or treatment.

(b) The written opinion shall not reveal specific findings of diagnoses unrelated to occupational exposure.

NEW SECTION

WAC 296-62-40015 HAZARD IDENTIFICATION. (1) With respect to labels and material safety data sheets:

(a) Employers shall ensure that labels on incoming containers of hazardous chemicals are not removed or defaced.

(b) Employers shall maintain any material safety data sheets that are received with incoming shipments of hazardous chemicals, and ensure that they are readily accessible to laboratory employees.

(2) The following provisions shall apply to chemical substances developed in the laboratory:

(a) If the composition of the chemical substance which is produced exclusively for the laboratory's use is known, the employer shall determine if it is a hazardous chemical as defined in subdivision (b) of this section. If the chemical is determined to be hazardous, the employer shall provide appropriate training as required under WAC 296-62-40011.

(b) If the chemical produced is a byproduct whose composition is not known, the employer shall assume that the substance is hazardous and shall implement WAC 296-62-40009.

(c) If the chemical substance is produced for another user outside of the laboratory, the employer shall comply with the hazard communication standard (WAC 296-62-054) including the requirements for preparation of material safety data sheets and labeling.

NEW SECTION

WAC 296-62-40017 USE OF RESPIRATORS. Where the use of respirators is necessary to maintain exposure below permissible exposure limits, the employer shall provide, at no cost to the employee, the proper respiratory equipment. Respirators shall be selected and used in accordance with the requirements of WAC 296-62-071.

NEW SECTION

WAC 296-62-40019 RECORDKEEPING. (1) The employer shall establish and maintain for each employee an accurate record of any measurements taken to monitor employee exposures and any medical consultation and examinations including tests or written opinions required by this standard.

(2) The employer shall assure that such records are kept, transferred, and made available in accordance with WAC 296-62-052.

NEW SECTION

WAC 296-62-40021 START-UP DATE. Employers shall have developed and implemented a written chemical hygiene plan no later than January 31, 1991.

NEW SECTION

WAC 296-62-40023 APPENDICES. The information contained in the appendices is not intended by itself to create any additional obligations not otherwise imposed or to detract from any existing obligation.

NEW SECTION

WAC 296-62-40025 APPENDIX A—NATIONAL RESEARCH COUNCIL RECOMMENDATIONS CONCERNING CHEMICAL HYGIENE IN LABORATORIES (NONMANDATORY). (1) Table of contents.

- (a) General principles.
 - (i) Minimize all chemical exposures.
 - (ii) Avoid underestimation of risk.
 - (iii) Provide adequate ventilation.
 - (iv) Institute a chemical hygiene program.
 - (v) Observe the PELs and TLVs.
- (b) Responsibilities.
 - (i) Chief executive officer.
 - (ii) Supervisor of administrative unit.
 - (iii) Chemical hygiene officer.
 - (iv) Laboratory supervisor.
 - (v) Project director.
 - (vi) Laboratory worker.
- (c) The laboratory facility.
 - (i) Design.
 - (ii) Maintenance.
 - (iii) Usage.
 - (iv) Ventilation.
- (d) Components of the chemical hygiene plan.
 - (i) Basic rules and procedures.
 - (ii) Chemical procurement, distribution, and storage.
 - (iii) Environmental monitoring.
 - (iv) Housekeeping, maintenance, and inspections.
 - (v) Medical program.
 - (vi) Personal protective apparel and equipment.
 - (vii) Records.
 - (viii) Signs and labels.
 - (ix) Spills and accidents.
 - (x) Training and information.
 - (xi) Waste disposal.
- (e) General procedures for working with chemicals.
 - (i) General rules for all laboratory work with chemicals.
 - (ii) Allergens and embryotoxins.
 - (iii) Chemicals of moderate chronic or high acute toxicity.
 - (iv) Chemicals of high chronic toxicity.
 - (v) Animal work with chemicals of high chronic toxicity.
 - (f) Safety recommendations.
 - (g) Material safety data sheets.

(2) Foreword.
 (a) As guidance for each employer's development of an appropriate laboratory chemical hygiene plan, the following nonmandatory recommendations are provided. They were extracted from "Prudent Practices for Handling Hazardous Chemicals in Laboratories" (referred to below as "Prudent Practices"), which was published in 1981 by the National Research Council and is available from the National Academy Press, 2101 Constitution Ave., N.W., Washington DC 20418.

(b) "Prudent practices" is cited because of its wide distribution and acceptance and because of its preparation by members of the laboratory community through the sponsorship of the National Research Council. However, none of the recommendations given here will modify any requirements of the laboratory standard. This appendix merely presents pertinent recommendations from "prudent practices," organized into a form convenient for quick reference during operation of a laboratory facility and during development and application of a chemical hygiene plan. Users of this appendix should consult "prudent practices" for a more extended presentation and justification for each recommendation.

(c) "Prudent practices" deals with both safety and chemical hazards while the laboratory standard is concerned primarily with chemical hazards. Therefore, only those recommendations directed primarily toward control of toxic exposures are cited in this appendix, with the term "chemical hygiene" being substituted for the word "safety." However, since conditions producing or threatening physical injury often pose toxic risks as well, page references concerning major categories of safety hazards in the laboratory are given in section F.

(d) The recommendations from "prudent practices" have been paraphrased, combined, or otherwise reorganized, and headings have been added. However, their sense has not been changed.

(e) Corresponding sections of the standard and this appendix.

(f) The following table is given for the convenience of those who are developing a chemical hygiene plan which will satisfy the requirements of WAC 296-62-40009. It indicates those sections of this appendix which are most pertinent to each of the sections of WAC 296-62-40009 and related sections.

Subsection and Topic in Laboratory Standard	Relevant Appendix Section
(3)(a) Standard operating procedures for handling toxic chemicals.	(c)(d)(e)
(3)(b) Criteria to be used for implementation of measures to reduce exposures.	(d)
(3)(c) Fume hood performance	(c)(iv)(B)
(3)(d) Employee information and training (including emergency procedures).	(d)(x), (d)(ix)
(3)(e) Requirements for prior approval of laboratory activities.	(e)(ii)(B), (e)(v)(B)
(3)(f) Medical consultation and medical examinations.	(d)(v), (e)(v)(G)
(3)(g) Chemical hygiene responsibilities.	(b)
(3)(h) Special precautions for work with particularly hazardous substances.	(e)(ii)(iii)(v)

(3) In this appendix, those recommendations directed primarily at administrators and supervisors are given in sections (a) through (d). Those recommendations of primary concern to employees who are actually handling laboratory chemicals are given in section E. (Reference to page numbers in "prudent practices" are given in parentheses.)

(a) General principles for work with laboratory chemicals in addition to the more detailed recommendations listed below in sections (b) through (e), "prudent practices" expresses certain general principles, including the following:

(i) It is prudent to minimize all chemical exposures. Because few laboratory chemicals are without hazards, general precautions for handling all laboratory chemicals should be adopted, rather than specific guidelines for particular chemicals (2, 10). Skin contact with chemicals should be avoided as a cardinal rule (198).

(ii) Avoid underestimation of risk. Even for substances of no known significant hazard, exposure should be minimized; for work with substances which present special hazards, special precautions should be taken (10, 37, 38). One should assume that any mixture will be more toxic than its most toxic component (30, 103) and that all substances of unknown toxicity are toxic (3, 34).

(iii) Provide adequate ventilation. The best way to prevent exposure to airborne substances is to prevent their escape into the working atmosphere by use of hoods and other ventilation devices (32, 198).

(iv) Institute a chemical hygiene program. A mandatory chemical hygiene program designed to minimize exposures is needed; it should be a regular, continuing effort, not merely a standby or short-term activity (6, 11). Its recommendations should be followed in academic teaching laboratories as well as by full-time laboratory workers (13).

(v) Observe the PELs, TLVs. The permissible exposure limits of WISHA and the threshold limit values of the American Conference of Governmental Industrial Hygienists should not be exceeded (13).

(b) Chemical hygiene responsibilities. Responsibility for chemical hygiene rests at all levels (6, 11, 21) including the:

(i) Chief executive officer, who has ultimate responsibility for chemical hygiene within the institution and must, with other administrators, provide continuing support for institutional chemical hygiene (7, 11).

(ii) Supervisor of the department or other administrative unit, who is responsible for chemical hygiene in that unit (7).

(iii) Chemical hygiene officer(s), whose appointment is essential (7) and who must:

(A) Work with administrators and other employees to develop and implement appropriate chemical hygiene policies and practices (7);

(B) Monitor procurement, use, and disposal of chemicals used in the lab (8);

(C) See that appropriate audits are maintained (8);

(D) Help project directors develop precautions and adequate facilities (10);

(E) Know the current legal requirements concerning regulated substances (50); and

(F) Seek ways to improve the chemical hygiene program (8, 11).

(iv) Laboratory supervisor, who has overall responsibility for chemical hygiene in the laboratory (21) including responsibility to:

(A) Ensure that workers know and follow the chemical hygiene rules, that protective equipment is available and in working order, and that appropriate training has been provided (21, 22);

(B) Provide regular, formal chemical hygiene and housekeeping inspections including routine inspections of emergency equipment (21, 171);

(C) Know the current legal requirements concerning regulated substances (50, 231);

(D) Determine the required levels of protective apparel and equipment (156, 160, 162); and

(E) Ensure that facilities and training for use of any material being ordered are adequate (215).

(v) Project director or director of other specific operation, who has primary responsibility for chemical hygiene procedures for that operation (7).

(vi) Laboratory worker, who is responsible for:

(A) Planning and conducting each operation in accordance with the institutional chemical hygiene procedures (7, 21, 22, 230); and

(B) Developing good personal chemical hygiene habits (22).

(c) The laboratory facility:

(i) Design. The laboratory facility should have:

(A) An appropriate general ventilation system (see C4 below) with air intakes and exhausts located so as to avoid intake of contaminated air (194);

(B) Adequate, well-ventilated stockrooms/storerooms (218, 219);

(C) Laboratory hoods and sinks (162, 162);

(D) Other safety equipment including eyewash fountains and drench showers (162, 169); and

(E) Arrangements for waste disposal (12, 240).

(ii) Maintenance. Chemical-hygiene-related equipment (hoods, incinerator, etc.) should undergo continuing appraisal and be modified if inadequate (11, 12).

(iii) Usage. The work conducted (10) and its scale (12) must be appropriate to the physical facilities available and, especially, to the quality of ventilation (13).

(iv) Ventilation.

(A) General laboratory ventilation. This system should: Provide a source of air for breathing and for input to local ventilation devices (199); it should not be relied on for protection from toxic substances released into the laboratory (198); ensure that laboratory air is continually replaced, preventing increase of air concentrations of toxic substances during the working day (194); direct air flow into the laboratory from nonlaboratory areas and out to the exterior of the building (194).

(B) Hoods. A laboratory hood with 2.5 linear feet of hood space per person should be provided for every 2 workers if they spend most of their time working with chemicals (199); each hood should have a continuous monitoring device to allow convenient confirmation of adequate hood performance before use (200, 209). If this is not possible, work with substances of unknown toxicity should be avoided (13) or other types of local ventilation devices should be provided (199). (See pp. 201-206 for a discussion of hood design, construction, and evaluation.)

(C) Other local ventilation devices. Ventilated storage cabinets, canopy hoods, snorkels, etc., should be provided as needed (199). Each canopy hood and snorkel should have a separate exhaust duct (207).

(D) Special ventilation areas. Exhaust air from glove boxes and isolation rooms should be passed through scrubbers or other treatment before release into the regular exhaust system (208). Cold rooms and warm rooms should have provisions for rapid escape and for escape in the event of electrical failure (209).

(E) Modifications. Any alteration of the ventilation system should be made only if thorough testing indicates that worker protection from airborne toxic substances will continue to be adequate (12, 193, 204).

(F) Performance. Rate: 4-12 room air changes/hour is normally adequate general ventilation if local exhaust systems such as hoods are used as the primary method of control (194).

(G) Quality. General air flow should not be turbulent and should be relatively uniform throughout the laboratory, with no high velocity or static areas (194, 195); airflow into and within the hood should not be excessively turbulent (200); hood face velocity should be adequate (typically 60-100 fpm) (200, 204).

(H) Evaluation. Quality and quantity of ventilation should be evaluated on installation (202), regularly monitored (at least every 3

months) (6, 12, 14, 195), and reevaluated whenever a change in local ventilation devices is made (12, 195, 207). See pp. 195-198 for methods of evaluation and for calculation of estimated airborne contaminant concentrations.

(d) Components of the chemical hygiene plan:

(i) Basic rules and procedures (recommendations for these are given in section (e), below).

(ii) Chemical procurement, distribution, and storage.

(A) Procurement. Before a substance is received, information on proper handling, storage, and disposal should be known to those who will be involved (215, 216). No container should be accepted without an adequate identifying label (216). Preferably, all substances should be received in a central location (216).

(B) Stockrooms/storerooms. Toxic substances should be segregated in a well-identified area with local exhaust ventilation (221). Chemicals which are highly toxic (227) or other chemicals whose containers have been opened should be in unbreakable secondary containers (219). Stored chemicals should be examined periodically (at least annually) for replacement, deterioration, and container integrity (218-19).

(C) Stockrooms/storerooms should not be used as preparation or repackaging areas, should be open during normal working hours, and should be controlled by one person (219).

(D) Distribution. When chemicals are hand carried, the container should be placed in an outside container or bucket. Freight-only elevators should be used if possible (223).

(E) Laboratory storage. Amounts permitted should be as small as practical. Storage on bench tops and in hoods is inadvisable. Exposure to heat or direct sunlight should be avoided. Periodic inventories should be conducted, with unneeded items being discarded or returned to the storeroom/stockroom (225-6, 229).

(iii) Environmental monitoring. Regular instrumental monitoring of airborne concentrations is not usually justified or practical in laboratories but may be appropriate when testing or redesigning hoods or other ventilation devices (12) or when a highly toxic substance is stored or used regularly (e.g., 3 times/week) (13).

(iv) Housekeeping, maintenance, and inspections.

(A) Cleaning. Floors should be cleaned regularly (24).

(B) Inspections. Formal housekeeping and chemical hygiene inspections should be held at least quarterly (6, 21) for units which have frequent personnel changes and semiannually for others; informal inspections should be continual (21).

(C) Maintenance. Eye wash fountains should be inspected at intervals of not less than 3 months (6). Respirators for routine use should be inspected periodically by the laboratory supervisor (169). Safety showers should be tested routinely (169). Other safety equipment should be inspected regularly. (E.g., every 3-6 months) (6, 24, 171). Procedures to prevent restarting of out-of-service equipment should be established (25).

(D) Passageways. Stairways and hallways should not be used as storage areas (24). Access to exits, emergency equipment, and utility controls should never be blocked (24).

(v) Medical program.

(A) Compliance with regulations. Regular medical surveillance should be established to the extent required by regulations (12).

(B) Routine surveillance. Anyone whose work involves regular and frequent handling of toxicologically significant quantities of a chemical should consult a qualified physician to determine on an individual basis whether a regular schedule of medical surveillance is desirable (11, 50).

(C) First aid. Personnel trained in first aid should be available during working hours and an emergency room with medical personnel should be nearby (173). See pp. 176-178 for description of some emergency first-aid procedures.

(vi) Protective apparel and equipment. These should include for each laboratory:

(A) Protective apparel compatible with the required degree of protection for substances being handled (158-161);

(B) An easily accessible drench-type safety shower (162, 169);

(C) An eyewash fountain (162);

(D) A fire extinguisher (162-164);

(E) Respiratory protection (164-9), fire alarm and telephone for emergency use (162) should be available nearby; and

(F) Other items designated by the laboratory supervisor (156, 160).

(vii) Records.

(A) Accident records should be written and retained (174).

(B) Chemical hygiene plan records should document that the facilities and precautions were compatible with current knowledge and regulations (7).

(C) Inventory and usage records for high-risk substances should be kept as specified in sections E3e below.

(D) Medical records should be retained by the institution in accordance with the requirements of state and federal regulations (12).

(viii) Signs and labels. Prominent signs and labels of the following types should be posted:

(A) Emergency telephone numbers of emergency personnel/facilities, supervisors, and laboratory workers (28);

(B) Identity labels, showing contents of containers (including waste receptacles) and associated hazards (27, 48);

(C) Location signs for safety showers, eyewash stations, other safety and first aid equipment, exits (27) and areas where food and beverage consumption and storage are permitted (24); and

(D) Warnings at areas or equipment where special or unusual hazards exist (27).

(ix) Spills and accidents.

(A) A written emergency plan should be established and communicated to all personnel; it should include procedures for ventilation failure (200), evacuation, medical care, reporting, and drills (172).

(B) There should be an alarm system to alert people in all parts of the facility including isolation areas such as cold rooms (172).

(C) A spill control policy should be developed and should include consideration of prevention, containment, cleanup, and reporting (175).

(D) All accidents or near accidents should be carefully analyzed with the results distributed to all who might benefit (8, 28).

(x) Information and training program.

(A) Aim: To assure that all individuals at risk are adequately informed about the work in the laboratory, its risks, and what to do if an accident occurs (5, 15).

(B) Emergency and personal protection training: Every laboratory worker should know the location and proper use of available protective apparel and equipment (154, 169).

(C) Some of the full-time personnel of the laboratory should be trained in the proper use of emergency equipment and procedures (6).

(D) Such training as well as first-aid instruction should be available to (154) and encouraged for (176) everyone who might need it.

(E) Receiving and stockroom/storeroom personnel should know about hazards, handling equipment, protective apparel, and relevant regulations (217).

(F) Frequency of training: The training and education program should be a regular, continuing activity—not simply an annual presentation (15).

(G) Literature/consultation: Literature and consulting advice concerning chemical hygiene should be readily available to laboratory personnel, who should be encouraged to use these information resources (14).

(xi) Waste disposal program.

(A) Aim: To assure that minimal harm to people, other organisms, and the environment will result from the disposal of waste laboratory chemicals (5).

(B) Content (14, 232, 233, 240): The waste disposal program should specify how waste is to be collected, segregated, stored, and transported and include consideration of what materials can be incinerated. Transport from the institution must be in accordance with DOT regulations (244).

(C) Discarding chemical stocks: Unlabeled containers of chemicals and solutions should undergo prompt disposal; if partially used, they should not be opened (24, 27).

(D) Before a worker's employment in the laboratory ends, chemicals for which that person was responsible should be discarded or returned to storage (226).

(E) Frequency of disposal: Waste should be removed from laboratories to a central waste storage area at least once per week and from the central waste storage area at regular intervals (14).

(F) Method of disposal: Incineration in an environmentally acceptable manner is the most practical disposal method for combustible laboratory waste (14, 238, 241).

(G) Indiscriminate disposal by pouring waste chemicals down the drain (14, 231, 242) or adding them to mixed refuse for landfill burial is unacceptable (14).

(H) Hoods should not be used as a means of disposal for volatile chemicals (40, 200).

(I) Disposal by recycling (233, 243) or chemical decontamination (40, 230) should be used when possible.

(e) Basic rules and procedures for working with chemicals. The chemical hygiene plan should require that laboratory workers know and follow its rules and procedures. In addition to the procedures of the subprograms mentioned above, these should include the general rules following:

(i) General rules. The following should be used for essentially all laboratory work with chemicals:

(A) Accidents and spills—Eye contact: Promptly flush eyes with water for a prolonged period (15 minutes) and seek medical attention (33, 172).

(B) Ingestion: Encourage the victim to drink large amounts of water (178).

(C) Skin contact: Promptly flush the affected area with water (33, 172, 178) and remove any contaminated clothing (172, 178). If symptoms persist after washing, seek medical attention (33).

(D) Clean-up. Promptly clean up spills, using appropriate protective apparel and equipment and proper disposal (24, 33). See pp. 233-237 for specific clean-up recommendations.

(E) Avoidance of "routine" exposure: Develop and encourage safe habits (23); avoid unnecessary exposure to chemicals by any route (23);

(F) Do not smell or taste chemicals (32). Vent apparatus which may discharge toxic chemicals (vacuum pumps, distillation columns, etc.) into local exhaust devices (199).

(G) Inspect gloves (157) and test glove boxes (208) before use.

(H) Do not allow release of toxic substances in cold rooms and warm rooms, since these have contained recirculated atmospheres (209).

(I) Choice of chemicals: Use only those chemicals for which the quality of the available ventilation system is appropriate (13).

(J) Eating, smoking, etc.: Avoid eating, drinking, smoking, gum chewing, or application of cosmetics in areas where laboratory chemicals are present (22, 24, 32, 40); wash hands before conducting these activities (23, 24).

(K) Avoid storage, handling, or consumption of food or beverages in storage areas, refrigerators, glassware, or utensils which are also used for laboratory operations (23, 24, 226).

(L) Equipment and glassware: Handle and store laboratory glassware with care to avoid damage; do not use damaged glassware (25). Use extra care with Dewar flasks and other evacuated glass apparatus; shield or wrap them to contain chemicals and fragments should implosion occur (25). Use equipment only for its designed purpose (23, 26).

(M) Exiting: Wash areas of exposed skin well before leaving the laboratory (23).

(N) Horseplay: Avoid practical jokes or other behavior which might confuse, startle, or distract another worker (23).

(O) Mouth suction: Do not use mouth suction for pipeting or starting a siphon (23, 32).

(P) Personal apparel: Confine long hair and loose clothing (23, 158). Wear shoes at all times in the laboratory but do not wear sandals, perforated shoes, or sneakers (158).

(Q) Personal housekeeping: Keep the work area clean and uncluttered, with chemicals and equipment being properly labeled and stored; clean up the work area on completion of an operation or at the end of each day (24).

(R) Personal protection: Assure that appropriate eye protection (154-156) is worn by all persons, including visitors, where chemicals are stored or handled (22, 23, 33, 154).

(S) Wear appropriate gloves when the potential for contact with toxic materials exists (157); inspect the gloves before each use, wash them before removal, and replace them periodically (157). (A table of resistance to chemicals of common glove materials is given p. 159.)

(T) Use appropriate (164-168) respiratory equipment when air contaminant concentrations are not sufficiently restricted by engineering controls (164-5), inspecting the respirator before use (169).

(U) Use any other protective and emergency apparel and equipment as appropriate (22, 157-162).

(V) Void use of contact lenses in the laboratory unless necessary; if they are used, inform supervisor so special precautions can be taken (155).

(W) Remove laboratory coats immediately on significant contamination (161).

(X) Planning: Seek information and advice about hazards (7), plan appropriate protective procedures, and plan positioning of equipment before beginning any new operation (22, 23).

(Y) Unattended operations: Leave lights on, place an appropriate sign on the door, and provide for containment of toxic substances in

the event of failure of a utility service (such as cooling water) to an unattended operation (27, 128).

(Z) Use of hood: Use the hood for operations which might result in release of toxic chemical vapors or dust (198-9).

(AA) As a rule of thumb, use a hood or other local ventilation device when working with any appreciably volatile substance with a TLV of less than 50 ppm (13).

(BB) Confirm adequate hood performance before use; keep hood closed at all times except when adjustments within the hood are being made (200); keep materials stored in hoods to a minimum and do not allow them to block vents or air flow (200).

(CC) Leave the hood "on" when it is not in active use if toxic substances are stored in it or if it is uncertain whether adequate general laboratory ventilation will be maintained when it is "off" (200).

(DD) Vigilance: Be alert to unsafe conditions and see that they are corrected when detected (22).

(EE) Waste disposal: Assure that the plan for each laboratory operation includes plans and training for waste disposal (230).

(FF) Deposit chemical waste in appropriately labeled receptacles and follow all other waste disposal procedures of the chemical hygiene plan (22, 24).

(GG) Do not discharge to the sewer concentrated acids or bases (231); highly toxic, malodorous, or lachrymatory substances (231); or any substances which might interfere with the biological activity of waste water treatment plants, create fire or explosion hazards, cause structural damage, or obstruct flow (242).

(HH) Working alone: Avoid working alone in a building; do not work alone in a laboratory if the procedures being conducted are hazardous (28).

(ii) Working with allergens and embryotoxins.

(A) Allergens (examples: Diazomethane, isocyanates, bichromates): Wear suitable gloves to prevent hand contact with allergens or substances of unknown allergenic activity (35).

(B) Embryotoxins (34-5) (examples: Organomercurials, lead compounds, formamide): Women of childbearing age shall handle these substances only in a hood whose satisfactory performance has been confirmed, using appropriate protective apparel (especially gloves) to prevent skin contact.

(C) Review each use of these materials with the research supervisor and review continuing uses annually or whenever a procedural change is made.

(D) Store these substances, properly labeled, in an adequately ventilated area in an unbreakable secondary container.

(E) Notify supervisors of all incidents of exposure or spills; consult a qualified physician when appropriate.

(iii) Work with chemicals of moderate chronic or high acute toxicity.

Examples: diisopropylfluorophosphate (41), hydrofluoric acid (43), hydrogen cyanide (45).

(iv) Supplemental rules to be followed in addition to those mentioned above (Procedure B of "prudent practices," pp. 39-41):

(A) Aim: To minimize exposure to these toxic substances by any route using all reasonable precautions (39).

(B) Applicability: These precautions are appropriate for substances with moderate chronic or high acute toxicity used in significant quantities (39).

(C) Location: Use and store these substances only in areas of restricted access with special warning signs (40, 229).

(D) Always use a hood (previously evaluated to confirm adequate performance with a face velocity of at least 60 linear feet per minute) (40) or other containment device for procedures which may result in the generation of aerosols or vapors containing the substance (39); trap released vapors to prevent their discharge with the hood exhaust (40).

(E) Personal protection: Always avoid skin contact by use of gloves and long sleeves (and other protective apparel as appropriate) (39). Always wash hands and arms immediately after working with these materials (40).

(F) Records: Maintain records of the amounts of these materials on hand, amounts used, and the names of the workers involved (40, 229).

(G) Prevention of spills and accidents: Be prepared for accidents and spills (41).

(H) Assure that at least 2 people are present at all times if a compound in use is highly toxic or of unknown toxicity (39).

(I) Store breakable containers of these substances in chemically resistant trays; also work and mount apparatus above such trays or cover work and storage surfaces with removable, absorbent, plastic backed paper (40).

(J) If a major spill occurs outside the hood, evacuate the area; assure that cleanup personnel wear suitable protective apparel and equipment (41).

(K) Waste: Thoroughly decontaminate or incinerate contaminated clothing or shoes (41). If possible, chemically decontaminate by chemical conversion (40).

(L) Store contaminated waste in closed, suitably labeled, impervious containers (for liquids, in glass or plastic bottles half-filled with vermiculite) (40).

(v) Work with chemicals of high chronic toxicity.

Examples: Dimethylmercury and nickel carbonyl (48), benzo-a-pyrene (51), N-nitrosodiethylamine (54), other human carcinogens or substances with high carcinogenic potency in animals (38).

(vi) Further supplemental rules to be followed, in addition to all these mentioned above, for work with substances of known high chronic toxicity (in quantities above a few milligrams to a few grams, depending on the substance) (47). (Procedure A of "Prudent Practices" pp. 47-50).

(A) Access: Conduct all transfers and work with these substances in a "controlled area": A restricted access hood, glove box, or portion of a lab, designated for use of highly toxic substances, for which all people with access are aware of the substances being used and necessary precautions (48).

(B) Approvals: Prepare a plan for use and disposal of these materials and obtain the approval of the laboratory supervisor (48).

(C) Noncontamination/decontamination: Protect vacuum pumps against contamination by scrubbers or HEPA filters and vent them into the hood (49). Decontaminate vacuum pumps or other contaminated equipment, including glassware, in the hood before removing them from the controlled area (49, 50).

(D) Decontaminate the controlled area before normal work is resumed there (50).

(E) Exiting: On leaving a controlled area, remove any protective apparel (placing it in an appropriate, labeled container) and thoroughly wash hands, forearms, face, and neck (49).

(F) Housekeeping: Use a wet mop or a vacuum cleaner equipped with a HEPA filter instead of dry sweeping if the toxic substance was a dry powder (50).

(G) Medical surveillance: If using toxicologically significant quantities of such a substance on a regular basis (e.g., 3 times per week), consult a qualified physician concerning desirability of regular medical surveillance (50).

(H) Records: Keep accurate records of the amounts of these substances stored (229) and used, the dates of use, and names of users (48).

(I) Signs and labels: Assure that the controlled area is conspicuously marked with warning and restricted access signs (49) and that all containers of these substances are appropriately labeled with identity and warning labels (48).

(J) Spills: Assure that contingency plans, equipment, and materials to minimize exposures of people and property in case of accident are available (233-4).

(K) Storage: Store containers of these chemicals only in a ventilated, limited access (48, 227, 229) area in appropriately labeled, unbreakable, chemically resistant, secondary containers (48, 229).

(L) Glove boxes: For a negative pressure glove box, ventilation rate must be at least 2 volume changes/hour and pressure at least 0.5 inches of water (48). For a positive pressure glove box, thoroughly check for leaks before each use (49). In either case, trap the exit gases or filter them through a HEPA filter and then release them into the hood (49).

(M) Waste: Use chemical decontamination whenever possible; ensure that containers of contaminated waste (including washings from contaminated flasks) are transferred from the controlled area in a secondary container under the supervision of authorized personnel (49, 50, 233).

(vii) Animal work with chemicals of high chronic toxicity.

(A) Access: For large scale studies, special facilities with restricted access are preferable (56).

(B) Administration of the toxic substance: When possible, administer the substance by injection or gavage instead of in the diet. If administration is in the diet, use a caging system under negative pressure or under laminar air flow directed toward HEPA filters (56).

(C) Aerosol suppression: Devise procedures which minimize formation and dispersal of contaminated aerosols, including those from food,

urine, and feces (e.g., use HEPA filtered vacuum equipment for cleaning, moisten contaminated bedding before removal from the cage, mix diets in closed containers in a hood) (55, 56).

(D) Personal protection: When working in the animal room, wear plastic or rubber gloves, fully buttoned laboratory coat or jumpsuit and, if needed because of incomplete suppression of aerosols, other apparel and equipment (shoe and head coverings, respirator) (56).

(E) Waste disposal: Dispose of contaminated animal tissues and excreta by incineration if the available incinerator can convert the contaminant to nontoxic products (238); otherwise, package the waste appropriately for burial in an EPA-approved site (239).

(f) Safety recommendations. The above recommendations from "prudent practices" do not include those which are directed primarily toward prevention of physical injury rather than toxic exposure. However, failure of precautions against injury will often have the secondary effect of causing toxic exposures. Therefore, we list below page references for recommendations concerning some of the major categories of safety hazards which also have implications for chemical hygiene:

- (i) Corrosive agents: (35-6)
- (ii) Electrically powered laboratory apparatus: (179-92)
- (iii) Fires, explosions: (26, 57-74, 162-4, 174-5, 219-20, 226-7)
- (iv) Low temperature procedures: (26, 88)
- (v) Pressurized and vacuum operations (including use of compressed gas cylinders): (27, 75-101)

(g) Material safety data sheets. Material safety data sheets are presented in "prudent practices" for the chemicals listed below. (Asterisks denote that comprehensive material safety data sheets are provided.)

*Acetyl peroxide (105) *Acrolein (106) *Acrylonitrile (107) Ammonia (anhydrous) (91) *Aniline (109) *Benzene (110) *Benzo[a]pyrene (112) *Bis(chloromethyl) ether (113) Boron trichloride (91) Boron trifluoride (92) Bromine (114) *Tert-butyl hydroperoxide (148) *Carbon disulfide (116) Carbon monoxide (92) *Carbon tetrachloride (118) *Chlorine (119) Chlorine trifluoride (94) *Chloroform (121) Chloromethane (93) *Diethyl ether (122) Diisopropyl fluorophosphate (41) *Dimethylformamide (123) *Dimethyl sulfate (125) *Dioxane (126) *Ethylene dibromide (128) *fluorine (95) *Formaldehyde (130) *Hydrazine and salts (132) Hydrofluoric acid (43) Hydrogen bromide (98) Hydrogen chloride (98) *Hydrogen cyanide (133) *Hydrogen sulfide (135) Mercury and compounds (52) *Methanol (137) *Morpholine (138) *Nickel carbonyl (99) *Nitrobenzene (139) Nitrogen dioxide (100) N-nitrosodiethylamine (54) *Peracetic acid (141) *Phenol (142) *Phosgene (143) *Pyridine (144) *Sodium azide (145) *Sodium cyanide (147) Sulfur dioxide (101) *Trichloroethylene (149) *Vinyl chloride (150)

NEW SECTION

WAC 296-62-40027 APPENDIX B—REFERENCES (NON-MANDATORY). (1) The following references are provided to assist the employer in the development of a chemical hygiene plan. The materials listed below are offered as nonmandatory guidance. References listed here do not imply specific endorsement of a book, opinion, technique, policy, or a specific solution for a safety or health problem. Other references not listed here may better meet the needs of a specific laboratory. Reference materials for the development of the chemical hygiene plan are:

- (a) American Chemical Society, Safety in Academic Chemistry Laboratories, 4th edition, 1985.
- (b) Fawcett, H.H. and W. S. Wood, Safety and Accident Prevention in Chemical Operations, 2nd edition, Wiley-Interscience, New York, 1982.
- (c) Flury, Patricia A., Environmental Health and Safety in the Hospital Laboratory, Charles C. Thomas Publisher, Springfield IL, 1978.
- (d) Green, Michael E. and Turk, Amos, Safety in Working with Chemicals, Macmillan Publishing Co., NY, 1978.
- (e) Kaufman, James A., Laboratory Safety Guidelines, Dow Chemical Co., Box 1713, Midland, MI 48640, 1977.
- (f) National Institutes of Health, NIH Guidelines for the Laboratory use of Chemical Carcinogens, NIH Pub. No. 81-2385, GPO, Washington, DC 20402, 1981.
- (g) National Research Council, Prudent Practices for Disposal of Chemicals from Laboratories, National Academy Press, Washington, DC, 1983.
- (h) National Research Council, Prudent Practices for Handling Hazardous Chemicals in Laboratories, National Academy Press, Washington, DC, 1981.

(i) Renfrew, Malcolm, Ed., Safety in the Chemical Laboratory, Vol. IV, J. Chem. Ed., American Chemical Society, Easlon, PA, 1981.

(j) Steere, Norman V., Ed., Safety in the Chemical Laboratory, J. Chem. Ed. American Chemical Society, Easlon, PA, 18042, Vol. I, 1967, Vol. II, 1971, Vol. III 1974.

(k) Steere, Norman V., Handbook of Laboratory Safety, the Chemical Rubber Company Cleveland, OH, 1971.

(l) Young, Jay A., Ed., Improving Safety in the Chemical Laboratory, John Wiley & Sons, Inc. New York, 1987.

(2) Hazardous substances information:

(a) American Conference of Governmental Industrial Hygienists, Threshold Limit Values for Chemical Substances and Physical Agents in the Workroom Environment with Intended Changes, P.O. Box 1937 Cincinnati, OH 45201 (latest edition).

(b) Annual Report on Carcinogens, National Toxicology Program U.S. Department of Health and Human Services, Public Health Service, U.S. Government Printing Office, Washington, DC, (latest edition).

(c) Best Company, Best Safety Directory, Vols. I and II, Oldwick, N.J., 1981.

(d) Bretherick, L., Handbook of Reactive Chemical Hazards, 2nd edition, Butterworths, London, 1979.

(e) Bretherick, L., Hazards in the Chemical Laboratory, 3rd edition, Royal Society of Chemistry, London, 1986.

(f) Code of Federal Regulations, 29 CFR part 1910 subpart Z. U.S. Govt. Printing Office, Washington, DC 20402 (latest edition).

(g) IARC Monographs on the Evaluation of the Carcinogenic Risk of Chemicals to Man, World Health Organization Publications Center, 49 Sheridan Avenue, Albany, New York 12210 (latest editions).

(h) NIOSH/OSHA Pocket Guide to Chemical Hazards. NIOSH Pub. No. 85-114, U.S. Government Printing Office, Washington, DC, 1985 (or latest edition).

(i) Occupational Health Guidelines, NIOSH/OSHA NIOSH Pub. No. 81-123 U.S. Government Printing Office, Washington, DC, 1981.

(j) Patty, F.A., Industrial Hygiene and Toxicology, John Wiley & Sons, Inc., New York, NY (Five Volumes).

(k) Registry of Toxic Effects of Chemical Substances, U.S. Department of Health and Human Services, Public Health Service, Centers for Disease Control, National Institute for Occupational Safety and Health, Revised Annually, for sale from Superintendent of Documents U.S. Govt. Printing Office, Washington, DC 20402.

(l) The Merck Index: An Encyclopedia of Chemicals and Drugs. Merck and Company Inc. Rahway, N.J., 1976 (or latest edition).

(m) Sax, N.I. Dangerous Properties of Industrial Materials, 5th edition, Van Nostrand Reinhold, NY., 1979.

(n) Sittig, Marshall, Handbook of Toxic and Hazardous Chemicals, Noyes Publications, Park Ridge, NJ, 1981.

(3) Information on ventilation:

(a) American Conference of Governmental Industrial Hygienists Industrial Ventilation, 16th edition Lansing, MI, 1980.

(b) American National Standards Institute, Inc. American National Standards Fundamentals Governing the Design and Operation of Local Exhaust Systems ANSI Z 9.2-1979 American National Standards Institute, N.Y. 1979.

(c) Imad, A.P. and Watson, C.L. Ventilation Index: An Easy Way to Decide about Hazardous Liquids, Professional Safety pp 15-18, April 1980.

(d) National Fire Protection Association, Fire Protection for Laboratories Using Chemicals NFPA-45, 1982.

(e) Safety Standard for Laboratories in Health Related Institutions, NFPA, 56c, 1980.

(f) Fire Protection Guide on Hazardous Materials, 7th edition, 1978.

(g) National Fire Protection Association, Batterymarch Park, Quincy, MA 02269.

(h) Scientific Apparatus Makers Association (SAMA), Standard for Laboratory Fume Hoods, SAMA LF7-1980, 1101 16th Street, NW., Washington, DC 20036.

(4) Information on availability of referenced material:

(a) American National Standards Institute (ANSI), 1430 Broadway, New York, NY 10018.

(b) American Society for Testing and Materials (ASTM), 1916 Race Street, Philadelphia, PA 19103. (Approved by the Office of Management and Budget under control number 1218-0131).

WSR 90-12-107
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
COMMUNITY DEVELOPMENT
 [Memorandum—June 5, 1990]

A public hearing on proposed allocation formula revisions has been scheduled for Friday, July 13, 1990, at the Towne Plaza Motor Hotel, North 7th Street and East Yakima Avenue, Yakima, Washington.

The proposed changes will affect how funds are distributed for low-income weatherization programs funded by the Department of Energy and the Department of Health and Human Services. Copies of the draft report, adopted by the Housing Energy Policy Advisory Council, are available upon request.

The hearing will begin at 1:00 p.m. and close at 2:00 p.m., unless additional time is required for public testimony.

Written testimony will be accepted until 5:00 p.m. on Friday, July 20, 1990, which should be sent to the attention of: Steve Payne, Supervisor, Department of Community Development, Ninth and Columbia Building, Mailstop GH-51, Olympia, Washington 98504-4151.

If you have any questions or need additional information, please contact Steve Payne at (206) 586-8980.

WSR 90-12-108
WITHDRAWAL OF PROPOSED RULES
GREEN RIVER
COMMUNITY COLLEGE
 [Filed June 6, 1990, 8:52 a.m.]

Effective immediately, please withdraw WSR No. 90-12-012 filed by Green River Community College. A new CR-102 filing will be made.

Clark Townsend
 Assistant to
 the President

WSR 90-12-109
PROPOSED RULES
GREEN RIVER
COMMUNITY COLLEGE
 [Filed June 6, 1990, 8:54 a.m.]

Original Notice.

Title of Rule: Chapter 132J-108 WAC, Practice and procedure.

Purpose: To comply with APA requirements.

Statutory Authority for Adoption: RCW 28B.50.140(13), 34.05.220 and [34.05].250.

Statute Being Implemented: Chapter 34.05 RCW.

Summary: Adopts model rules of procedure and appointment of presiding officers and adjudicative proceedings and provides adjudicative procedure information.

Reasons Supporting Proposal: To comply with APA requirements.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Clark Townsend, 12401 S.E. 320th Street, Auburn, 254-1428.

Name of Proponent: Green River Community College, public.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Implemented to comply with APA requirements, this rule provides Green River Community College's practices and procedures for conducting administrative hearings.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Board of trustees meeting, on July 19, 1990, at 4:00 p.m.

Submit Written Comments to: Clark Townsend, by July 19, 1990.

Date of Intended Adoption: August 16, 1990.

May 23, 1990
 Clark Townsend
 Assistant to
 the President

CHAPTER 132J-108 WAC
PRACTICE AND PROCEDURE

NEW SECTION

WAC 132J-108-010 ADOPTION OF MODEL RULES OF PROCEDURE. The model rules of procedure adopted by the chief administrative law judge pursuant to RCW 34.05.250, as now or hereafter amended, are hereby adopted for use at this institution. Those rules may be found at Chapter 10-08 Washington Administrative Code. Other procedural rules adopted in this title are supplementary to the model rules of procedure. In the case of a conflict between the model rules of procedure and procedural rules adopted in this title, the procedural rules adopted by this institution shall govern. Rules adopted at this institution prior to July 1, 1989, remain in full force and effect unless specifically appealed or amended.

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

NEW SECTION

WAC 132J-108-020 APPOINTMENT OF PRESIDING OFFICERS. The president or president's designee shall designate a presiding officer for an adjudicative proceeding. The presiding officer shall be an administrative law judge, a member in good standing of the Washington State Bar Association, a panel of individuals, the president or his or her designee, or any combination of the above. Where more than one individual is designated to be the presiding officer, one person shall be designated by the president or president's designee to make decisions concerning discovery, closure, means of recording adjudicative proceedings, and similar matters.

NEW SECTION

WAC 132J-108-030 METHOD OF RECORDING. Proceedings shall be recorded by a method determined by the presiding officer, among those available pursuant to the model rules of procedure in WAC 10-08-170.

NEW SECTION

WAC 132J-108-040 APPLICATION OF ADJUDICATIVE PROCEEDING. An application for adjudicative proceeding shall be in writing. Application forms are available at the following address:

Office of the President
Green River Community College
12401 S.E. 320th Street
Auburn, WA 98002

Written application for an adjudicative proceeding should be submitted to the above address within 20 days of the agency action giving rise to the application, unless provided for otherwise by statute or rule.

NEW SECTION

WAC 132J-108-050 BRIEF ADJUDICATIVE PROCEDURES. This rule is adopted in accordance with RCW 34.05.482-494, the provisions of which are hereby adopted. Brief adjudicative procedures shall be used in all matters related to:

- (1) Residency determinations made pursuant to RCW 28B.15.013, conducted by the admissions office;
- (2) Challenges to contents of education records;
- (3) Student conduct proceedings;
- (4) Parking violations;
- (5) Outstanding debts owed by students or employees;
- (6) Loss of eligibility for participation in institution sponsored athletic events;
- (7) Refund of tuition and special fees under WAC 132J-160-010 through -050.

NEW SECTION

WAC 132J-108-060 DISCOVERY. Discovery in adjudicative proceedings may be permitted at the discretion of the presiding officer. In permitting discovery, the presiding officer shall make reference to the civil rules of procedure. The presiding officer shall have the power to control the frequency and nature of discovery permitted, and to order discovery conferences to discuss discovery issues.

NEW SECTION

WAC 132J-108-070 PROCEDURE FOR CLOSING PARTS OF THE HEARINGS. A party may apply for a protective order to close part of a hearing. The party making the request should state the reasons for making the application to the presiding officer. If the other party opposes the request, a written response to the request shall be made within 10 days of the request to the presiding officer. The presiding officer shall determine which, if any, parts of the proceeding shall be closed, and state the reasons therefor in writing within 20 days of receiving the request.

NEW SECTION

WAC 132J-108-180 RECORDING DEVICES. No cameras or recording devices shall be allowed in those parts of the proceedings which the presiding officer has determined shall be closed pursuant to WAC 132J-108-010, except for the method of official recording selected by the institution.

**WSR 90-12-110
PROPOSED RULES
DEPARTMENT OF
TRADE AND ECONOMIC DEVELOPMENT**

[Filed June 6, 1990, 9:16 a.m.]

Original Notice.

Title of Rule: Chapter 130-14 WAC, Child care facility fund rules.

Purpose: To establish rules regarding the application for and disbursement of loan guarantees, direct loans or grants from the child care facility fund and implement RCW 43.31.085 and 43.168.050.

Other Identifying Information: SSSB 6051, chapter 430, Laws of 1989.

Statutory Authority for Adoption: RCW 43.31.085 and 43.168.050.

Statute Being Implemented: RCW 43.31.085 and 43.168.050.

Summary: Rules describing the child care facility fund application, disbursement, eligibility and uses; rules also include loan terms and repayment procedures and reporting requirements.

Reasons Supporting Proposal: Statute mandates rules promulgated for same purpose.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Beryl Cheal, Business Assistance Center, (206) 586-4842.

Name of Proponent: Department of Trade and Economic Development, Child Care Facility Fund Committee, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Purpose: To establish rules regarding the application for and disbursement of loan guarantees, direct loans or grants from the child care facility fund and to implement RCW 43.31.085 and 43.168.050. Anticipated Effects: To expand the supply of private sector employer sponsored child care.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

The department has considered whether this rule is subject to the Regulatory Fairness Act and has determined that it is not for the following reasons: There will be minor or negligible impact, \$25,000 maximum loan or grant, one-time-only funds, application process required for interested business only. The child care facility fund will not affect 10 percent of one industry or 20 percent of all industries. It is anticipated that the \$1,000,000 available will affect 40 to 80 businesses statewide, any type of business can apply for the funds. The rules impose no duties but rather set forth a process by which to obtain governmental funds.

Hearing Location: July 16, 1990, Spokane Community College, Spokane, Washington, at 7 p.m. - 9 p.m.; July 17, 1990, Yakima Mall, Yakima, Washington, at 7 p.m. - 9 p.m.; and on July 20, 1990, Sea-Tac Airport Auditorium, Seattle, Washington, at 11 a.m. - 1 p.m.

Submit Written Comments to: Beryl Cheal, Program Manager, Child Care Facility Fund, 919 Lakeridge Way S.W., Suite A, Olympia, WA 98502, by July 10, 1990.

Date of Intended Adoption: July 20, 1990.

June 5, 1990
Ronald R. Jutilla
Chairman, Child Care
Facility Fund Committee

Chapter 130-14 WAC
CHILD CARE FACILITY FUND RULES

NEW SECTION

WAC 130-14-010 DEFINITIONS. As used in this chapter:

Capital improvements means improvements to real property or improvements or acquisition of personal property which is depreciable under the Federal Tax Code.

Existing child care facility means that facility which holds a current license for a child care facility from the department of social and health services (DSHS) at the time of application to the child care facility fund.

New child care facility means that facility that does not hold a current license for a child care facility from the department of social and health services (DSHS) at the time of application to the child care facility fund.

Applicant means one or more businesses seeking to establish or cause to be established a child care facility primarily for use of the children of its employees.

NEW SECTION

WAC 130-14-020 LOAN GUARANTEES. (1) Loans that are awarded to an applicant business through a lending institution can be guaranteed by the child care facility fund up to eighty percent of the loan or to a maximum of twenty-five thousand dollars. Such loan must be intended to start or expand a child care facility and be made by a state or federally regulated financial institution.

(2) The loan guarantee shall be awarded on a one-time-only basis and shall not exceed twenty-five thousand dollars.

(3) Applicants shall provide sufficient collateral for funds under this section, as determined by the child care facility fund committee.

NEW SECTION

WAC 130-14-030 DIRECT LOANS. (1) Direct loans may be awarded to the applicant business on a one-time-only basis and shall not exceed a maximum of twenty-five thousand dollars.

(2) Repayment of the direct loan shall be made to the child care facility fund.

(3) Interest rates for a direct loan may be up to prime rate, negotiated on a case-by-case basis, fixed for the life of the loan. Loan terms can be up to five years.

(4) Applicants shall provide sufficient collateral for funds loaned under this section, as determined by the child care facility fund committee.

NEW SECTION

WAC 130-14-040 GRANTS. (1) A grant may be awarded to the applicant business on a one-time-only basis.

(2) A grant shall not exceed a maximum of twenty-five thousand dollars and must be matched on a dollar-for-dollar basis with cash or goods or services that would otherwise have required cash outlay and are necessary for start-up or capital improvement expenses.

(3) Full repayment of a grant is required if the child care facility ceases to provide child care earlier than the following time periods from the date the grant is made:

(a) Twelve months for a grant up to five thousand dollars;

(b) Twenty-four months for a grant over five thousand dollars to ten thousand dollars;

(c) Thirty-six months for a grant over ten thousand dollars to fifteen thousand dollars;

(d) Forty-eight months for a grant over fifteen thousand dollars to twenty thousand dollars;

(e) Sixty months for a grant over twenty thousand dollars to twenty-five thousand dollars.

(4) Applicants shall provide sufficient collateral for funds for this section, as determined by the child care facility fund committee.

NEW SECTION

WAC 130-14-050 PROJECT ELIGIBILITY. (1) To receive funds the applicant must:

(a) Provide on-site or off-site child care; or

(b) Enter into a written contract with an existing child care provider offering expanded child care services either on-site or off-site; or

(c) Enter into a written contract with a newly licensed child care provider offering child care services either on-site or off-site.

(2) If the applicant contracts with a provider for child care, a copy of the signed contract must be provided with the application. The applicant business must submit a plan that includes a description of:

(a) The need for a new or improved child care facility in the area to be served by the applicant;

(b) The steps to be taken to serve a reasonable number of:

(i) Handicapped children;

(ii) Sick children;

(iii) Infants;

(iv) Children requiring nighttime or weekend care;

(v) Children whose costs of care are subsidized by the government;

(c) Why financial assistance from the state is needed to start or improve the child care facility;

(d) How the guaranteed loan, direct loan, or grant will be used, and how such use will meet the described need;

(e) The child care services to be available at the facility and the capacity of the applicant to provide these services;

(f) The financial status of the applicant, including other resources available to the applicant which will ensure the viability of the facility and the availability of its described services.

NEW SECTION

WAC 130-14-060 USE OF FUNDS. Eligible activities and uses of child care facility funds include:

(1) Capital improvements for new or existing licensed child care facilities;

(2) Operating capital for new facilities which are available for a period limited to the first three months of operation.

NEW SECTION

WAC 130-14-070 REPORTS. Recipients shall annually for two years following the receipt of the loan guarantee, direct loan, or grant, submit to the child care facility fund committee a report on the facility and how it is meeting the child care needs for which it was intended.

WSR 90-12-111

NOTICE OF PUBLIC MEETINGS

PUGET SOUND

WATER QUALITY AUTHORITY

[Memorandum—June 6, 1990]

Listed below is the date and specific location for the July meeting of the Puget Sound Water Quality Authority. Please note that this is a change from the July 18 date that was published in WSR 90-05-047.

Notwithstanding this change for the July meeting date, regular meetings of the authority are expected to continue to be held on the third Wednesday of every month. All meetings begin at 9:30 a.m.

Thursday, July 19, 1990
County Commissioners' Chambers
San Juan County Courthouse Annex
135 Rhone Street
Friday Harbor

WSR 90-12-112

PERMANENT RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Public Assistance)

[Order 2960—Filed June 6, 1990, 1:59 p.m.]

Date of Adoption: June 6, 1990.

Purpose: The amendments to this rule will enable the DSHS WIC program to better enforce federal regulations by tightening the parameters within which WIC authorized food vendors operate.

Citation of Existing Rules Affected by this Order: Amending chapter 388-19 WAC, Special supplement food program for women, infants, and children (WIC).

Statutory Authority for Adoption: RCW 43.20A.550.

Pursuant to notice filed as WSR 90-10-065 on May 1, 1990.

Effective Date of Rule: Thirty-one days after filing.

June 6, 1990

Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 2638, filed 6/30/88)

WAC 388-19-005 DESCRIPTION OF WIC PROGRAM. (1) The WIC program is a federally funded program established in 1972 by an amendment to the Child Nutrition Act of 1966. The purpose of the program is to ((provide)) serve as an adjunct to health care by providing nutritious food; nutrition education and counseling; health screening; and referral services to pregnant and breast-feeding women, infants, and children in certain high-risk categories.

(2) Federal regulations governing the WIC program (7 CFR Part 246) require implementation of standards and procedures to guide the state's administration of the WIC program and are hereby incorporated by reference. These regulations are designed to promote consistent and high quality services to clients, promote consistent application of procedures for eligibility and food issuance, and lessen the possibility of participant, food vendor, and local agency abuse of the WIC program. These regulations define the rights, responsibilities, and legal procedures of participants, vendors, and local agencies.

(3) The WIC program in the state of Washington is administered by the nutrition services section of the division of parent-child health services in the department of social and health services.

(4) As used in this chapter, the following definitions apply:

(a) "Department" means the department of social and health services; ~~(("food vendor" means grocers and pharmacists; and))~~

(b) "Food company" means manufacturer of food items;

(c) "Food instrument" means check or voucher;

(d) "Food vendor" means the owner, chief executive officer, controller, or other person legally authorized to obligate a store location to a contract; and

(e) "Local WIC agency" means the clinic or agency where a participant receives WIC services.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending Order 2638, filed 6/30/88)

WAC 388-19-015 AUTHORIZED FOODS. (1) The department shall provide one or more of the following foods to eligible women, infants, and children:

- (a) Cereals,
- (b) Juices,
- (c) Infant formula,
- (d) Infant cereal,
- (e) Milk,
- (f) Eggs,

(g) Dry beans and peas,

(h) Peanut butter, and

(i) Cheese.

These foods shall meet nutritional standards established by federal regulations.

(i) The department shall approve specific brands of infant formula, juice, and cereal based on federal nutritional requirements. In addition, the department specifies juice provided to WIC clients must be unsweetened; and

(ii) The department shall designate specific types of domestic, pasteurized cheese for the WIC program.

(2) A copy of the authorized WIC food list shall be included in the annually revised state plan which is available for public comment and is submitted to the United States Department of Agriculture Food and Nutrition Services regional office.

(3) The following steps have been established by the department as the formal procedure for adding a food product to the WIC program:

(a) A food company or other entity, such as a local WIC clinic, shall submit a written request for authorization of a product;

(b) The food company representative shall furnish the state WIC office with:

(i) Package flats or labels, information on package sizes and prices, and a summary of current distribution; and

(ii) The food company's summary of current distribution shall be in writing and shall include, but not be limited to:

(A) Identification of the wholesaler carrying the product; and

(B) Assessment of when the new product replaces the old on store shelves when there is a change in the product formulation.

This information must be received ~~((at least))~~ ninety days ~~((prior to))~~ or more before WIC food instrument revision deadlines. ~~((These revisions occur approximately twice a year, depending on the need for replenishing the supply;))~~

(c) ~~((If))~~ When the product meets federal and state requirements, the department shall verify product availability and price;

(d) The nutrition ~~((education))~~ services work group of the ~~((office))~~ division of parent ~~((and))~~-child health services shall make ~~((its))~~ a recommendation based on the product's ingredients and ~~((its))~~ value to the promotion of healthful and economic food buying practices;

(e) The department shall survey local WIC ~~((clinics))~~ agency staff for their recommendation in regard to need and demand for the product;

(f) The department shall review data and recommendations and shall notify the food company of ~~((its))~~ the department's decision;

(g) The department shall add the newly authorized food items to the WIC food instrument at the next scheduled printing.

(4) ~~((Any))~~ State WIC monitor staff shall determine if a food product ~~((s-being))~~ considered for ~~((addition to the authorized WIC food list shall be on the shelves of))~~ authorization is available to retail outlets, statewide,

~~((by the time revisions are submitted for printing new food instrument stock)) and has a history of availability for one year or more.~~

(5) The department reserves the right to require a food company to submit a statement guaranteeing a minimum period of time during which a food product will be available throughout the state of Washington.

(6) The department reserves the right to refuse any food product that appears ~~((to be))~~ in contradiction to the principles promoted by the WIC program's nutrition ~~((education))~~ service component.

(7) The department reserves the right to limit the number of authorized foods within a food category.

(8) Food companies shall notify the department of any changes in product content, name, label design, or availability.

(a) If a food company fails to notify the department of the changes in writing, the WIC program shall revoke the product's authorization; and

(b) A food company shall notify the department of changes before a Washington state wholesaler receives the new product.

(9) A food company shall not use the term "WIC approved" without prior department approval.

AMENDATORY SECTION (Amending Order 2681, filed 8/30/88)

WAC 388-19-020 FOOD VENDOR PARTICIPATION. (1) The department shall authorize food vendors who may redeem WIC food instruments or otherwise provide supplemental foods to WIC participants. Unauthorized vendors who redeem WIC food instruments are subject to the penalties specified in WAC 388-19-035.

(2) Application procedure.

(a) Food vendors shall submit an application to the department, including a price list for authorized WIC food. Forms used in the application process are contained in the state plan which is submitted annually to the United States Department of Agriculture Food and Nutrition Services regional office.

(b) The department may require vendor applicants to provide information regarding gross food sales and inventory records for WIC-approved foods.

(c) The department shall conduct a documented on-site visit prior to, or at the time of, initial authorization of a new vendor, for the purpose of evaluating the inventory of WIC foods and providing training ~~((in))~~ on rules and regulations of WIC transactions.

(d) The department shall issue contracts for a maximum period of two years. All contracts expire on ~~((December))~~ March 31 of ~~((even-numbered))~~ odd-numbered years. No new applications will be accepted after ~~((July))~~ October 1 in even-numbered years, except in the case of an ownership change ~~((at a location))~~ where there is a documented need for a location in order to solve client access problems. The department has the authority to limit acceptance of new applications to other specific times as well.

(3) The department shall authorize an appropriate number and distribution of food vendors to assure adequate participant convenience and access, and to assure

the department can effectively manage review of these vendors. The department has the authority to limit the number of authorized food vendors in any given geographic area or statewide. Selection is based on the following conditions:

~~(a) ((At least six WIC participants shall request a food vendor location unless the vendor is a:))~~ The vendor applicant shall have requests from or the potential of serving six or more WIC participants.

~~(i) ((Pharmacy needed as a supplier of special infant formulas; or))~~ For vendors without prior contracts, the local WIC agency shall document six or more WIC participants requesting use of a location.

~~(ii) ((Retail grocery store in an isolated area))~~ Vendors applying for re-authorization shall have a check redemption record averaging fifteen or more checks per month over a six-month period, documented by department statistics reports.

~~(iii) Exceptions may be made for:~~

(A) Pharmacies needed as suppliers of special infant formulas; or

(B) Retail grocery stores in isolated areas.

In either case, the need shall be documented by the local WIC agency.

(b) Food vendors shall stock representative items from all food categories on the authorized WIC food list that apply to the vendor's classification. ~~((No waivers shall be granted unless there is an insufficient number of authorized vendors in a given service area:))~~ Minimum quantities specified on the authorized WIC food list shall be stocked before a contract is offered to the food vendor. A food vendor seeking a waiver from the minimum formula stock requirement shall request the waiver in writing for each contracting period. No waivers shall be granted unless there is an insufficient number of authorized vendors in a given service area;

(c) Prices of individual food items shall not exceed one hundred twenty percent of the statewide average price. The state WIC office shall have the prerogative to grant waivers to the price percentage requirement when client access is jeopardized;

(d) The food vendor shall possess a valid Washington state tax registration number;

~~((be willing to submit to))~~ comply with training sessions, monitor visits, and ((to)) provide invoices and shelf prices upon request;

(f) The store shall be open for business ~~((at least))~~ eight or more hours per day, six days per week.

(4) The department shall give written notification of denial, stating the reason, and advising the food vendor of the vendor's right of appeal. The department may deny a food vendor authorization for reasons including, but not limited to ~~((a))~~ the following:

~~((Food vendor who has redeemed))~~ Redeeming WIC food instruments without authorization; ((or))

~~((Store which has had))~~ Changing ownership more than ~~((two owners))~~ twice during a two-year contracting period; ((or))

~~((Food vendor who has not implemented))~~ Failure to implement corrective action imposed by the department ~~((as a result of a monitoring visit)); ((or))~~

~~(d)~~ ((Food vendor who has not completed)) Failure to complete payment of an imposed fine;

(e) Refusing to accept training from the WIC program; and

(f) Repeated department-documented noncompliance with program regulations.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

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

AMENDATORY SECTION (Amending Order 2638, filed 6/30/88)

WAC 388-19-025 FOOD VENDOR CONTRACTS. (1) All participating food vendors shall enter into written contracts with the department. The contract shall be signed by the vendor's legal representative.

(2) When the food vendor obligates more than one ~~((outlet))~~ store location, ((there)) all participating store locations shall be ((an individual contract for each outlet;)) listed by name and location on the contract. Individual ~~((outlets))~~ store locations may be added, temporarily disqualified, or terminated by contract amendment without affecting the remaining ~~((outlets))~~ store locations.

(3) The department shall have the authority to contract with a sole source for a specified WIC food product or food product category.

(4) WIC vendor rules. The food vendor contract shall contain the following rules:

(a) The food vendor shall stock sufficient quantities of authorized WIC foods to meet the needs of WIC customers;

(b) The food vendor shall redeem food instruments made payable only to that specific store or with the words "any authorized WIC vendor;"

(c) The food vendor shall accept food instruments from a WIC customer within thirty days of the issuance date and submit those instruments for payment within the time period stated on the food instrument;

(d) The food vendor shall require proof of identity of WIC customers by requesting identification. The WIC identification folder is provided for this purpose;

(e) The food vendor shall ensure both signatures on the WIC check match the signature on the identification;

(f) The food vendor shall not accept WIC food instruments altered in any way;

(g) The food vendor shall redeem WIC food instruments for only the supplemental foods specified on the food instrument;

~~((e))~~ (h) The food vendor shall provide supplemental foods at the current price or at less than the current price charged other customers;

~~((d))~~ The food vendor shall accept food instruments from a WIC customer within thirty days of the issuance date and submit those instruments for payment within the time period stated on the food instrument;

~~((e))~~ (i) The food vendor shall not accept WIC checks exceeding the maximum amount allowable;

(j) The department has the right to demand refunds from the food vendors for documented overcharges;

~~((f))~~ (k) The department may deny payment to the food vendor for ((improper)) improperly handled food instruments or may demand refunds for payments already made on ((improper)) improperly handled food instruments. ((An example)) Examples of ((an improper)) improperly handled food ((instrument is one)) instruments are:

(i) A check presented to the vendor for redemption after the thirty-day valid period;

(ii) An altered check; and

(iii) A check exceeding the maximum allowable amount.

~~((g))~~ (l) The food vendor shall not seek restitution from WIC customers for food instruments not honored by the WIC program, nor shall the food vendor seek restitution through a collection agency;

(m) The food vendor shall not request cash or give change in a WIC transaction;

(n) The food vendor shall not issue refunds for returned WIC foods or allow exchanges of WIC foods;

(o) The food vendor shall not issue rain checks or any form of credit;

(p) The food vendor shall treat WIC customers with the same courtesy provided to other customers;

(q) The department shall hold the food vendor responsible for the actions of employees or agents of the vendor with regard to any WIC transaction;

~~((h))~~ (r) The manager of the store or an authorized representative such as head cashier shall agree to accept training on WIC program requirements and procedures. The department shall provide this training;

~~((i))~~ (s) The food vendor shall inform and train cashiers or other employees on WIC program rules and check cashing procedures;

~~((j))~~ The department shall hold the food vendor responsible for the actions of employees or agents of the vendor with regard to any WIC transaction;

~~((k))~~ The food vendor shall redeem food instruments made payable only to that specific store or with the words "any authorized WIC vendor;"

~~((l))~~ The food vendor shall treat WIC customers with the same courtesy provided to other customers;

~~((m))~~ (t) The department shall monitor the food vendor for compliance with WIC program rules;

~~((n))~~ (u) During the department monitoring visit of a food vendor, the food vendor shall provide access to food instruments negotiated the day of the review, at the request of the department reviewer;

~~((o))~~ (v) Food vendors shall provide department reviewers access to shelf price records;

~~((p))~~ (w) Each food vendor shall provide the department with a complete price list of authorized WIC foods ((at least once a)) not more than twelve times per year; and

~~((q))~~ (x) The food vendor shall notify the department of any store closure or change of ownership, store name, and/or location no later than the tenth of the month ((prior to)) before the month during which the

change (~~(will be)~~) is effective. Notices from the vendor shall be addressed to DSHS WIC Program, Mail Stop LC-12C, Olympia, Washington 98504 (~~; and~~

~~(r) The food vendor shall require proof of identity of WIC customers by requesting their WIC identification cards).~~

(5) Renewal of contract.

(a) Neither the department nor the food vendor is obligated to renew the food vendor contract. The department shall (~~(provide)~~) notify vendors (~~(with)~~) in writing not less than fifteen days (~~(advance written notice of)~~) before the expiration of a contract not being renewed by the department.

(b) Food vendors shall observe time lines, such as deadlines for submitting price lists and returning properly signed contracts. Failure of vendors to do so may result in denial of authorization.

(6) Contract terminations.

(a) Either the department or the food vendor may terminate the contract by submitting a written notice to the other party thirty days in advance.

(b) The food vendor contract shall automatically be terminated without advance notice from the department in the event of a store closure or change in ownership.

AMENDATORY SECTION (Amending Order 2638, filed 6/30/88)

WAC 388-19-030 FOOD VENDOR MONITORING. (1) The department shall identify high-risk vendors and ensure on-site monitoring, further investigation, and sanctioning of such vendors. Criteria for identifying high-risk vendors shall include, but not be limited to, such considerations as participant complaints and the amount or frequency of suspected overcharges (~~(on)~~) or other improper handling of redeemed food instruments.

(2) The department shall conduct on-site monitoring visits to at least ten percent of authorized vendors per year. The department shall select the vendors on a representative basis, in order to survey the types and levels of abuse and errors among participating food vendors. Vendors shall take (~~(correction)~~) corrective action as directed by the department.

(3) The department shall submit a summary of the results of the monitoring of high-risk and representative food vendors and of the review of food instruments to USDA Food and Nutrition Service on an annual basis within four months after the end of the federal fiscal year.

(4) The department shall document the following for all on-site vendor monitoring visits:

(a) Names of (~~(both)~~) vendor (~~(and)~~), reviewer, and, except for compliance buys, persons interviewed;

(b) Date of review;

(c) Nature of problem or problems detected or observation that the food vendor appears to be in compliance with program requirements;

(d) How the food vendor plans to correct deficiencies detected; and

(e) Signature of reviewer.

(5) Methods of on-site monitoring visits include, but are not limited to:

(a) Compliance purchases;

(b) Review of cashier check-out procedures;

(c) Review of inventory records;

(d) Review of the availability (~~(and)~~), prices, and expiration dates of authorized WIC foods; and

(e) Review of food instruments negotiated the day of the review.

(6) The department may conduct compliance purchases to collect evidence of improper vendor practices, or arrange for this responsibility to be assumed by the proper state or local authorities.

(7) The department shall establish procedures to document the handling of complaints by participants against food vendors. The department shall deal with complaints of civil rights discrimination in accordance with 7 CFR 246.8(b).

AMENDATORY SECTION (Amending Order 2638, filed 6/30/88)

WAC 388-19-035 FOOD VENDOR SANCTIONS. (1) The department may disqualify a food vendor for reasons of program abuse, and (~~(suspend)~~) terminate the vendor's participation in the WIC program for a specified period of time. At the end of the disqualification period, the vendor shall be required to reapply for authorization.

(2) Food vendors may be subject to sanctions in addition to, or in lieu of, disqualification, such as monetary claims for (~~(improper or overcharged)~~) improperly handled food instruments. Prior to disqualifying a food vendor, the department shall consider whether the disqualification would create undue hardships for WIC participants.

(3) The department shall set the period of disqualification from program participation at a minimum of one year and shall not exceed three years. The maximum period of disqualification shall be imposed only for flagrant or repeated program abuse. The department (~~(may, at its option,)~~) shall issue a warning letter documenting the infraction to the food vendor before a disqualification is imposed.

(4) The department shall disqualify a food vendor from the WIC program if that vendor is suspended or disqualified from another FNS program.

(5) The department shall recover funds due the WIC program and impose monetary (~~(fines)~~) sanctions of not less than one hundred dollars on food vendors for the offenses in subsection (5) of this section. The department shall deposit these funds into the WIC account in accordance with federal regulations.

Money shall be paid to the department within the time period specified in the notification of adverse action or the vendor shall be suspended from the WIC program for a period of at least one year. Offenses include:

(a) Providing cash, unauthorized food, nonfood items, or other items to WIC customers in lieu of or in addition to authorized WIC supplemental foods;

(b) Charging the WIC program for foods not received by the customer;

(c) Charging the WIC program more for authorized WIC supplemental foods than other customers are charged for the same food item;

(d) Providing rain checks or ~~((other))~~ credit to customers in a WIC transaction;

(e) Charging WIC customers cash or giving change to customers in a WIC transaction; and

(f) Redeeming WIC checks without having authorization from the department.

Repeating any offense listed in subsection (5) of this section would subject a vendor to a one-year disqualification.

(6) A food vendor who fails to give the specified notice of a change in ownership, store name, and/or location shall be liable for resultant costs incurred by the WIC program. In addition, a food vendor who fails to furnish the state WIC office with written notice of a change in ownership ~~((prior to))~~ before the effective date of sale shall be subject to a monetary ~~((fine))~~ sanction of not less than one hundred dollars.

(7) A food vendor's failure to maintain a sufficient stock of WIC authorized foods or to follow the appropriate WIC check cashing procedure may result in a one-year disqualification.

(8) Food vendors who have willfully misapplied, stolen, or fraudulently obtained program funds shall be subject to a fine of not more than one thousand dollars or imprisonment for not more than five years or both, if the value of the funds is one hundred dollars or more. If the value is less than one hundred dollars, the penalties are a fine of not more than one thousand dollars or imprisonment for not more than one year or both. The department shall refer these vendors to federal, state, or local authorities for prosecution under applicable statutes.

AMENDATORY SECTION (Amending Order 2681, filed 8/30/88)

WAC 388-19-045 WIC FOOD VENDOR—ADMINISTRATIVE REVIEW—CONTRACT DISPUTE RESOLUTION. (1) Administrative review.

(a) A food vendor whose application to participate in the WIC program is denied has the right to administrative review which is an informal meeting ~~((with))~~ between the department and the vendor to discuss the ~~((facts related to))~~ reasons for the denial. Contracted food vendors dissatisfied with department decisions affecting the vendor's participation also may request an administrative review.

(b) A request for an administrative review shall be in writing and:

- (i) State the issue raised;
- (ii) State the grounds for contesting the aggrieving department action;
- (iii) State the law and allegations of fact on which the appeal relies;
- (iv) Contain the appellant's current address and telephone number, if any; and
- (v) Have a copy of the adverse department notice attached.

(c) A request for an administrative review shall be made by personal service on the ~~((office))~~ division of

parent-child health services headquarters office or by certified mail addressed to the ~~((Office))~~ Division of Parent-Child Health Services, Mail Stop LC-12C, Olympia, Washington 98504. The request shall be made within thirty days of the date the vendor received the notice of adverse action. When the request is mailed, it shall be treated as having been made on the date it was postmarked provided it is received by the ~~((office))~~ division of parent-child health services properly addressed and with no postage due.

(d) The ~~((chief, office))~~ director of the division of parent-child health services, or the ~~((chief))~~ director's designee, shall conduct the administrative review. The time limit for making the determination is thirty days from the date the request for an administrative review was received by the office. The time shall be extended by as many days as the vendor requests, assents to, or causes a delay in the proceedings.

(e) Administrative review is the sole administrative remedy the department offers a food vendor WIC contract applicant. Contracted food vendors dissatisfied with administrative review decisions may request a contract dispute resolution.

(2) Contract dispute resolution.

(a) A WIC food vendor who is disqualified from participating in the program or who is aggrieved by any other adverse action the department takes which affects participation, has the right to a dispute resolution. This shall not apply to a nonrenewal of the contract.

(b) A request for a dispute resolution shall be in writing and:

- (i) State the issue raised;
- (ii) State the grounds for contesting the aggrieving department action;
- (iii) State the law and allegations of fact on which the appeal relies;
- (iv) Contain the contractor's current address and telephone number, if any; and
- (v) Have a copy of the adverse department notice attached.

(c) A request for a dispute resolution shall be made by personal service on the office of contracts management in Olympia or by certified mail addressed to the Office of Contracts Management, Mail Stop OB-22N, Olympia, Washington 98504. The request shall be made within thirty days of the date the contractor received the notice of adverse action. When the request is mailed, it shall be treated as having been made on the date it was postmarked provided it is received by the office of contracts management properly addressed and with no postage due.

(d) The time limit for making the determination is thirty days from the date the request for a dispute resolution was received by the office of contracts management. The time shall be extended by as many days as the contractor requests, assents to, or causes a delay in the proceedings.

(e) The contract dispute resolution is the sole administrative remedy the department offers a WIC contractor.

WSR 90-12-113
EMERGENCY RULES
DEPARTMENT OF HEALTH
(Board of Medical Examiners)
 [Order 065—Filed June 6, 1990, 2:58 p.m.]

Date of Adoption: June 7, 1990.

Purpose: To amend WAC 308-52-260 to eliminate the requirement of passing FLEX in a sequential manner.

Citation of Existing Rules Affected by this Order: Amending WAC 308-52-260.

Statutory Authority for Adoption: RCW 18.71.017 and 18.71.070.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Prohibits qualified individuals from receiving a license in Washington until FLEX is passed in sequential manner. This then restricts hospitals, clinics, etc. from hiring individuals to provide medical care to residents in the state of Washington.

Effective Date of Rule: Immediately.

June 6, 1990
 Patti L. Rathbun
 Program Manager

AMENDATORY SECTION [(Amending Order PM 822, filed 3/1/89)]

WAC 308-52-260 EXAMINATION SCORES. Examinations given by the Washington state board of medical examiners:

(a) The board adopts the examination of the federation of state licensing boards as the examination given by the board.

(b) The minimal passing scores for each component of the FLEX I and II examinations shall be seventy-five percent. An applicant must successfully pass both components ~~((who choses to take both components of the examination in a single three day sitting must obtain a passing score on both components, or receive a passing score on the FLEX I component in order for a passing score on FLEX II to be valid. A passing score on FLEX II will not be accepted if FLEX I has not been passed))~~.

(c) An applicant must pass both components of the examination within seven years. An applicant will be required to demonstrate evidence of completion of a remedial or refresher medical course approved by the board after three failures of single component. Time will be calculated for this subsection beginning with the June, 1989 examination. There will be no exemptions from the seven-year limitation because of failure to sit for an examination or because a remedial or refresher course was required.

(d) Applicants will be eligible to take FLEX I after completion of medical school and satisfactory verification of good standing in a board-approved postgraduate training program. FLEX II may only be taken after

passing FLEX I and having completed or substantially completed the first year of postgraduate training: Provided, That after completing or substantially completing one year of a board-approved postgraduate training program, an applicant has the option of taking FLEX II or taking both FLEX I and FLEX II in a single sitting.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

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

WSR 90-12-114
PERMANENT RULES
DEPARTMENT OF HEALTH
 [Order 052—Filed June 6, 1990, 2:59 p.m.]

Date of Adoption: June 6, 1990.

Purpose: Amending WAC 308-180-150 to reflect current terminology; WAC 308-180-210 to allow staff to schedule for the practical exam before the results of the written exam are released; and WAC 308-180-250 on the requirements for applying for licensure.

Statutory Authority for Adoption: RCW 18.06.160.

Pursuant to notice filed as WSR 90-08-002 on March 22, 1990.

Changes Other than Editing from Proposed to Adopted Version: There are some minor technical revisions but there are no substantive changes between the proposed and the adopted version.

Effective Date of Rule: Thirty-one days after filing.

June 6, 1990
 Pam Campbell Mead
 for Kristine M. Gebbie
 Secretary

AMENDATORY SECTION (Amending Order PM 641, filed 3/4/87)

WAC 308-180-150 WESTERN SCIENCES. The training in western sciences shall consist of forty-five academic credits based on the quarter system in which a credit equals ten classroom contact hours at the collegiate level of instruction or equivalent. These forty-five academic credits shall consist of the following:

- (1) Anatomy;
- (2) Physiology;
- (3) ~~((Bacteriology))~~ Microbiology;
- (4) Biochemistry;
- (5) Pathology;
- (6) Survey of western clinical sciences;
- (7) Hygiene; and
- (8) Cardio-pulmonary resuscitation (CPR).

Training in hygiene and CPR shall consist of a minimum of one academic credit hour or equivalent in each subject. Red Cross certification or documentation of

equivalent training may be substituted for one academic credit hour in CPR.

AMENDATORY SECTION (Amending Order PM 713, filed 3/9/88)

WAC 308-180-210 EXAMINATIONS. (1) A written and practical examination in English shall be given twice yearly for qualified applicants at a time and place determined by the director.

~~((1))~~ (2) ~~((All applicants must have successfully completed the written portion of the examination prior to being eligible for the practical examination.~~

~~((3))~~ (3) Applications and fees for examination or reexamination must be received by the department forty-five days in advance of the scheduled examination date.

~~((4))~~ (3) The passing score for the written examination is a converted score of seventy-five.

~~((5))~~ (4) The practical examination will consist of separate segments designed to test the applicant's knowledge of diagnostic methods, acupuncture treatment and aseptic techniques.

~~((6))~~ (5) To pass the practical examination, candidates must successfully complete each segment of the examination.

~~((7))~~ (6) Applicants who fail either the written or the practical portion of the examination shall submit an appropriate fee for re-examination.

~~((8))~~ (7) Applicants who fail more than fifty percent of the segments of the practical examination will be required to be reexamined on all segments of the practical examination.

~~((9))~~ (8) Applicants who fail fifty percent or less of the segments of the practical examination will be reexamined only on the segments that did not receive a passing score. This provision applies only to the next regularly scheduled practical examination administration.

~~((10))~~ (9) If an applicant fails to successfully complete the practical examination within two years of passing the written examination, the director may require the applicant to retake the written examination.

~~((11))~~ (10) Application fees are nonrefundable.

AMENDATORY SECTION (Amending Order PM 713, filed 3/9/88)

WAC 308-180-250 APPLICATION EXHIBITS REQUIRED. Every application shall be accompanied by:

(1) The application fee;

(2) Verification of academic or educational study and training at a school or college which may include the following:

(a) Photostatic copy of diploma, certificate, or other certified documents and original copy of school transcript from a school or college evidencing completion of a program and a copy of the curriculum in the areas of study involved in the school or college forwarded directly from the issuing agency/organization; or

(b) Notarized affidavit or statement bearing the official school seal and signed by an officer of the school or training program certifying the applicant's satisfactory

completion of the academic and clinical training and designating the subjects and hours; or

(c) If, for good cause shown, the school is no longer existent, an applicant may submit a sworn affidavit so stating and shall name the school, its address, dates of enrollment and curriculum completed, and such other information and documents as the department may deem necessary; or

(d) Certified copies of licenses issued by the applicants jurisdiction which must be forwarded directly to the department of licensing from the issuing licensing and/or translation agency rather than the applicant.

(3) Verification of clinical training. The applicant shall submit a certification signed by the instructor(s) under oath that the applicant completed a course of clinical training under the direction of the instructor which shall include:

(a) The location of the training site.

(b) The inclusive dates of training.

(c) That the supervised practice included a minimum of four hundred patient treatments involving a minimum of one hundred different patients.

(d) One hundred hours of observation including case presentation and discussion.

(4) Certified verification of successful completion of the national examination or receipt of the diplomate status from the National Commission for Certification of Acupuncturists.

WSR 90-12-115
PROPOSED RULES
DEPARTMENT OF HEALTH
(Board of Nursing)

[Filed June 6, 1990, 3:00 p.m.]

Continuance of WSR 90-10-084.

Title of Rule: New section WAC 308-121-110 through 308-121-180; and 308-173-210 through 308-173-280.

Date of Intended Adoption: July 27, 1990.

May 10, 1990

Constance Roth

Executive Secretary

WSR 90-12-116
PROPOSED RULES
DEPARTMENT OF HEALTH
(Board of Medical Examiners)

[Filed June 6, 1990, 3:02 p.m.]

Original Notice.

Title of Rule: WAC 308-52-260 Examination scores.

Purpose: To amend the passing score on FLEX examination and to establish criteria for retaking examination.

Statutory Authority for Adoption: RCW 18.71.017.

Statute Being Implemented: RCW 18.71.070.

Summary: To eliminate the requirement of passing FLEX in a sequential manner.

Reasons Supporting Proposal: To provide medical care to residents in the state of Washington.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Patti Rathbun, Board of Medical Examiners, Olympia, 753-2844.

Name of Proponent: Board of Medical Examiners, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Amends the existing rule to eliminate the requirement of passing the FLEX examination in a sequential manner. This will allow individuals who hold licenses in other states to qualify for a license in this state without being required to retake part II of the FLEX examination.

Proposal Changes the Following Existing Rules: Eliminates the requirement of passing the examination in a sequential manner.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Tye Hotel, Lakefair Room, 500 Tye Drive, Olympia, WA, on July 27, 1990, at 9:30 a.m.

Submit Written Comments to: Patti Rathbun, Program Manager, P.O. Box 1099, Olympia, WA 98507-1099, by July 26, 1990.

Date of Intended Adoption: July 27, 1990.

June 6, 1990
Patti L. Rathbun
Program Manager

AMENDATORY SECTION [(Amending Order PM 822, filed 3/1/89)]

WAC 308-52-260 EXAMINATION SCORES. Examinations given by the Washington state board of medical examiners:

(a) The board adopts the examination of the federation of state licensing boards as the examination given by the board.

(b) The minimal passing scores for each component of the FLEX I and II examinations shall be seventy-five percent. An applicant must successfully pass both components (~~who chooses to take both components of the examination in a single three day sitting must obtain a passing score on both components, or receive a passing score on the FLEX I component in order for a passing score on FLEX II to be valid. A passing score on FLEX II will not be accepted if FLEX I has not been passed~~);

(c) An applicant must pass both components of the examination within seven years. An applicant will be required to demonstrate evidence of completion of a remedial or refresher medical course approved by the board after three failures of single component. Time will be calculated for this subsection beginning with the June, 1989 examination. There will be no exemptions from the seven-year limitation because of failure to sit for an examination or because a remedial or refresher course was required.

(d) Applicants will be eligible to take FLEX I after completion of medical school and satisfactory verification of good standing in a board-approved postgraduate training program. FLEX II may only be taken after passing FLEX I and having completed or substantially completed the first year of postgraduate training: Provided, That after completing or substantially completing one year of a board-approved postgraduate training program, an applicant has the option of taking FLEX II or taking both FLEX I and FLEX II in a single sitting.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

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

WSR 90-12-117
PROPOSED RULES
DEPARTMENT OF HEALTH
(Board of Nursing)
[Filed June 6, 1990, 3:04 p.m.]

Original Notice.

Title of Rule: Repealing WAC 308-121-030, 308-121-040, 308-121-050, 308-121-055, 308-121-060 and 308-121-070.

Purpose: To repeal these sections of the Washington Administrative Code.

Statutory Authority for Adoption: RCW 18.88.080.

Statute Being Implemented: Chapter 18.52A RCW and OBRA of 1987.

Summary: The WACs being repealed will be replaced with WACs currently under consideration by the Washington State Board of Nursing.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Constance E. Roth, R.N. EdD., 1300 Quince Street, Olympia, WA, 753-2686.

Name of Proponent: Washington State Board of Nursing, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: This rule is to repeal WAC 308-121-030, 308-121-040, 308-121-050, 308-121-055, 308-121-060 and 308-121-070. They will be replaced with new WACs presently being promulgated by the Washington State Board of Nursing.

Proposal Changes the Following Existing Rules: This rule will repeal WAC 308-121-030, 308-121-040, 308-121-050, 308-121-055, 308-121-060 and 308-121-070.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Tye Hotel, Makah Room, 500 Tye Drive, Olympia, WA 98501, on July 27, 1990, at 1:00 p.m.

Submit Written Comments to: Washington State Board of Nursing, P.O. Box 1099, Mailstop EY-17, Olympia, WA 98507-1099, by July 20, 1990.

Date of Intended Adoption: July 27, 1990.

May 10, 1990
Constance Roth
Executive Secretary

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 308-121-030 NURSING ASSISTANT TRAINING PROGRAM CURRICULUM.

WAC 308-121-040 NURSING ASSISTANT TRAINING PROGRAMS CONDUCTED BY NURSING HOMES.

WAC 308-121-050 NURSING ASSISTANTS TRAINED IN PROGRAMS NOT SPECIFIED IN WAC 308-121-030 AND 308-121-040.

WAC 308-121-055 NURSING ASSISTANTS TRAINED IN APPROVED PROGRAMS.
WAC 308-121-060 ISSUING VERIFICATION OF COMPLETION.
WAC 308-121-070 REGISTRATION OF NURSING ASSISTANTS.

the placement of excursion services under the same regulations as charter buses. The rules were noticed under WSR 90-10-077, filed May 2, 1990.

Paul Curl
Secretary

WSR 90-12-118
PREPROPOSAL COMMENTS
UTILITIES AND TRANSPORTATION
COMMISSION

[Filed June 6, 1990, 3:40 p.m.]

Subject of Possible Rule Making: Establishment of policies concerning regulatory mechanisms to ensure that electric utility's obligation to acquire cost effective generation and conservation resources does not interfere with the utility's opportunity to earn a fair rate of return.

Persons may comment on this subject in the Following Ways: Written or oral comments may be submitted as described below. Informal workshops may be scheduled as well. Persons interested in receiving notice of any workshops may contact Steve Aos or Ken Elgin at the numbers shown below. Written comments should be submitted to: Paul Curl, Washington Utilities and Transportation Commission, 1300 South Evergreen Park Drive S.W., Olympia, WA 98504. Please submit 20 copies and indicate that you are commenting on Docket No. UE-900385. Oral comments or questions may be directed to Steve Aos, (206) 586-1187, or Ken Elgin, (206) 586-4510. Written comments are due on July 6, 1990.

Other Information or Comments by Agency at this Time, if any: More detail concerning the scope of the possible rulemaking may be obtained by calling Steve Aos or Ken Elgin at the above numbers and asking for the commission's notice of inquiry concerning "Examining whether there are regulatory barriers to least cost planning for electric utilities."

June 4, 1990
Paul Curl
Secretary

WSR 90-12-119
WITHDRAWAL OF PROPOSED RULES
UTILITIES AND TRANSPORTATION
COMMISSION

[Filed June 6, 1990, 3:42 p.m.]

This memorandum is sent pursuant to WAC 1-21-060 as a notice of withdrawal, withdrawing WAC 480-30-010, 480-30-020, 480-30-030, 480-30-050, 480-30-060, 480-30-070, 480-30-100, 480-30-110, 480-40-010, 480-40-020, 480-40-030, 480-40-040, 480-40-050, 480-40-060, 480-40-070, 480-40-075, 480-40-110, 480-40-120, 480-40-130, 480-149-060 and 480-149-120; and repealing WAC 480-149-070, relating to

WSR 90-12-120
RULES COORDINATOR
UTILITIES AND TRANSPORTATION
COMMISSION

[Filed June 6, 1990, 3:44 p.m.]

Notice is hereby given that the following is the name and office mailing address of the rules coordinator designated by the Washington Utilities and Transportation Commission: Paul Curl, Office of the Secretary, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., FY-11, Olympia, WA 98504, (206) 753-6451.

Paul Curl
Secretary

WSR 90-12-121
PERMANENT RULES
STATE BOARD OF EDUCATION

[Filed June 6, 1990, 4:02 p.m.]

Date of Adoption: May 18, 1990.

Purpose: To add amendatory language to the rules that will clarify intent and provide needed changes in the certification fee structure.

Citation of Existing Rules Affected by this Order: Amending WAC 180-75-061 and 180-75-090.

Statutory Authority for Adoption: RCW 28A.04.120 (1), (2) and (3) and 28A.70.005.

Pursuant to notice filed as WSR 90-08-112 on April 4, 1990.

Changes Other than Editing from Proposed to Adopted Version: Proposed amendments to WAC 180-75-065 were withdrawn pending further review and recommendations.

Effective Date of Rule: Thirty-one days after filing.

June 6, 1990
Monica Schmidt
Secretary

AMENDATORY SECTION (Amending WSR 89-22-010, filed 10/20/89, effective 11/20/89)

WAC 180-75-061 APPLICATION FOR CERTIFICATION. An individual who applies for a Washington state certificate, unless seeking reinstatement pursuant to WAC 180-75-087 or renewal pursuant to WAC 180-75-088, must meet the standards in effect at the time of application. Effective August 31, 1993, unless the candidate is applying for a limited certificate pursuant to WAC 180-79-230, an initial certificate pursuant to the ((reciprocity)) out-of-state provisions of WAC 180-79-245, or a vocational certificate pursuant to WAC 180-77-040 or 180-77-095 or unless

the candidate holds a valid initial or continuing Washington state certificate issued pursuant to chapter 180-79 WAC other than a limited certificate issued pursuant to WAC 180-79-230, the candidate must have passed the applicable parts of the admission to practice examination within one calendar year of the date of application.

AMENDATORY SECTION (Amending WSR 89-22-010, filed 10/20/89, effective 11/20/89)

WAC 180-75-090 TEMPORARY PERMITS. Temporary permits may be issued by the superintendent of public instruction and designated agents under the following conditions:

(1) Temporary permits may be issued under this section to those persons who have filed an application for a certificate; who, based on available documentation, including affidavits or other evidence that appears reliable which substantiates the existence of missing documentation, appear to have completed all requirements for certification; and who do not disclose any information which indicates that such applicant fails to meet the character requirement of WAC 180-75-085(2).

(2) An individual may apply for a permit directly to the superintendent of public instruction (~~PROVIDED; That in the case of an individual completing requirements for certification in a~~) or designated agents—i.e., educational service districts or Washington state institutions of higher education ((the request may also be made to that institution)).

(3) A permit entitles the holder to serve as a teacher, educational staff associate or administrator consistent with the endorsement(s) on his/her permit.

(4) A permit is valid for one hundred twenty consecutive calendar days commencing with the date following the date of issuance unless prior to such date the superintendent of public instruction determines the applicant is ineligible to receive a valid certificate or endorsement. In such cases, the temporary permit shall expire on the date notice of cancellation is received by the applicant and/or the employer. The temporary permit may be re-issued only upon demonstration that the applicant has made a good faith effort to secure the missing documentation.

(5) Issuing authority. The superintendent of public instruction either directly or through a designated agent shall issue all permits and shall provide institutions of higher education and educational service districts with forms and instructions relevant to application for a permit.

WSR 90-12-122
PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
 [Filed June 6, 1990, 4:05 p.m.]

Original Notice.

Title of Rule: Chapter 392-126 WAC, Finance—
 Shared leave.

Purpose: To set forth policies and procedures for the operation of a permissive shared leave program in school districts and educational service districts which permits employees to donate annual and sick leave to a fellow employee who is suffering from or has a relative or household member suffering from an extraordinary or severe illness, injury, impairment, or physical or mental condition which has caused or is likely to cause the employee to take leave without pay or terminate his or her employment.

Statutory Authority for Adoption: RCW 28A.58.095.

Statute Being Implemented: RCW 28A.58.095.

Summary: See Purpose above.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting: Richard M. Wilson, Superintendent of Public Instruction, Old Capitol Building, (206) 753-2298; **Implementation:** Robert Schley, Superintendent of Public Instruction, Old Capitol Building, (206) 753-1717; **and Enforcement:** David Moberly, Superintendent of Public Instruction, Old Capitol Building, (206) 753-6742.

Name of Proponent: Superintendent of Public Instruction, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: See Purpose above.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Brouillet Conference Room, Superintendent of Public Instruction, Old Capitol Building, Olympia, Washington 98504, on July 13, 1990, at 9:00 a.m.

Submit Written Comments to: Richard M. Wilson, Superintendent of Public Instruction, Legal Services, Olympia, Washington 98504, by July 10, 1990.

Date of Intended Adoption: July 18, 1990.

June 6, 1990
 Judith A. Billings
 Superintendent of
 Public Instruction

FINANCE—SHARED LEAVE

NEW SECTION

WAC 392-126-004 AUTHORITY. The authority for this chapter is RCW 28A.400.380 which authorizes the superintendent of public instruction to adopt rules and regulations promulgating standards governing the administration of the shared leave program which permits sharing of annual and sick leave by school district and educational service district employees.

NEW SECTION

WAC 392-126-006 PURPOSE. The purpose of this chapter is to set forth policies and procedures for the operation of a permissive shared leave program in school districts and educational service districts which permits employees to donate annual and sick leave to a fellow employee who is suffering from or has a relative or household member suffering from an extraordinary or severe illness, injury, impairment, or physical or mental condition which has caused or is likely to cause the employee to take leave without pay or terminate his or her employment.

NEW SECTION

WAC 392-126-015 **DEFINITION—ANNUAL LEAVE.** As used in this chapter, "annual leave" means vacation leave that an employee accrues and is maintained in records of a district for employees eligible to accrue vacation leave.

NEW SECTION

WAC 392-126-020 **DEFINITION—SICK LEAVE.** As used in this chapter, "sick leave" means leave granted to an employee for the purpose of absence from work with pay in the event of illness, injury, and emergencies as authorized in RCW 28A.400.300 (2)(c).

NEW SECTION

WAC 392-126-025 **DEFINITION—EMPLOYEE.** As used in this chapter, "employee" means any school district or educational service district employee entitled to use and accrue annual and/or sick leave.

NEW SECTION

WAC 392-126-030 **DEFINITION—DISTRICT.** As used in this chapter, "district" means a school district or an educational service district.

NEW SECTION

WAC 392-126-035 **DEFINITION—LEAVE RECIPIENT.** As used in this chapter, "leave recipient" means a current employee who has an approved application to receive shared leave.

NEW SECTION

WAC 392-126-040 **DEFINITION—LEAVE DONOR.** As used in this chapter, "leave donor" means an employee who has an approved written request for the transfer of annual or sick leave to the shared leave program.

NEW SECTION

WAC 392-126-045 **DEFINITION—DONATED ANNUAL LEAVE.** As used in this chapter, "donated annual leave" means the amount of annual leave donated by a leave donor under the shared leave program.

NEW SECTION

WAC 392-126-050 **DEFINITION—DONATED SICK LEAVE.** As used in this chapter, "donated sick leave" means the amount of sick leave donated by a leave donor under the shared leave program.

NEW SECTION

WAC 392-126-055 **DEFINITION—EMPLOYEE'S RELATIVE.** As used in this chapter, "employee's relative" means the leave recipient's spouse, child, stepchild, grandchild, grandparent, parent, sibling, or other close relative by blood or marriage.

NEW SECTION

WAC 392-126-060 **DEFINITIONS—HOUSEHOLD MEMBERS.** As used in this chapter, "household members" means those persons who reside in the same home as a family unit. This term shall include foster children and legal wards even if they do not live in the household. The term does not include persons sharing the same general house when the living style is primarily that of a dormitory or commune.

NEW SECTION

WAC 392-126-065 **DEFINITION—EXTRAORDINARY OR SEVERE.** As used in this chapter, "extraordinary or severe" means serious or extreme and/or life threatening.

NEW SECTION

WAC 392-126-070 **PERMISSIBILITY OF SHARED LEAVE PROGRAM.** Pursuant to RCW 28A.400.380 districts may institute a

shared leave program for employees. This chapter shall govern such programs.

NEW SECTION

WAC 392-126-075 **ELIGIBILITY.** In the event a district implements a shared leave program, an employee shall be eligible to receive shared leave under the following conditions:

- (1) The employee's job is one in which annual and/or sick leave can be used and accrued.
- (2) The employee is not eligible for time loss compensation under chapter 51.32 RCW.
- (3) The employee has abided by district policies regarding the use of sick leave.
- (4) The employee has exhausted, or will exhaust, his or her annual leave and/or sick leave.
- (5) The condition has caused, or is likely to cause, the employee to go on leave without pay or terminate district employment.

NEW SECTION

WAC 392-126-080 **DONATION OF ANNUAL LEAVE.** An employee may donate annual leave using the following criteria:

- (1) The employee may donate any amount of annual leave provided the donation does not cause the employee's annual leave balance to fall below eighty hours.
- (2) Employees may not donate excess annual leave that the donor would not be able to take because of an approaching date after which the annual leave cannot be used.
- (3) All donated annual leave must be given voluntarily. No employee shall be coerced, threatened, intimidated, or financially induced into donating annual leave.

NEW SECTION

WAC 392-126-085 **DONATION OF SICK LEAVE.** An employee may donate sick leave using the following criteria:

- (1) The employee must be in a job in which annual leave is not accrued.
- (2) The employee must have accrued more than sixty days of sick leave.
- (3) Employees may not donate more than six days of sick leave during any twelve-month period.
- (4) Employees may not donate an amount of sick leave that will result in his or her sick leave account going below sixty days.
- (5) All donated sick leave must be given voluntarily. No employee shall be coerced, threatened, intimidated, or financially induced into donating sick leave.

NEW SECTION

WAC 392-126-090 **MAXIMUM AMOUNT.** The district shall determine the amount of shared leave a leave recipient may receive and may only authorize an employee to use up to a maximum of two hundred sixty-one days of shared leave during total state employment. All forms of paid leave available for use by the recipient must be used prior to using shared leave.

NEW SECTION

WAC 392-126-095 **DOCUMENTATION.** The district shall require the employee or his or her legal representative, to submit, prior to approval or disapproval, documentation from a licensed physician or other authorized health care practitioner verifying the severe or extraordinary nature and expected duration of the condition.

NEW SECTION

WAC 392-126-099 **CALCULATION OF SHARED LEAVE BENEFIT—PRORATION.** The leave recipient shall be paid his or her regular rate of pay; therefore, one hour of shared leave may cover more or less than one hour of the recipient's salary. The dollar value of the leave shall be converted from the donor to the recipient. The leave received shall be coded as shared leave and shall be maintained separately from all other leave balances. In the event the district determines that unused shared leave should be returned to leave donors, the district shall develop a plan for prorated return of both annual and sick leave.

NEW SECTION

WAC 392-126-104 ANNUAL REPORT TO SPI. Districts shall report annually in November to the superintendent of public instruction on forms provided the value of annual leave donated, the value of sick leave donated, the value of the number of days used under the shared leave program during the school year, and such other information as requested by the superintendent of public instruction.

WSR 90-12-123
PERMANENT RULES
DEPARTMENT OF AGRICULTURE
 [Order 2040—Filed June 6, 1990, 4:07 p.m.]

Date of Adoption: June 6, 1990.

Purpose: To strengthen provisions of the rules allowing entry of blueberries after fumigation, from areas quarantined because of infestation of the blueberry maggot.

Citation of Existing Rules Affected by this Order: Amending chapter 16-488 WAC, Rules relating to blueberry quarantine.

Statutory Authority for Adoption: Chapter 17.24 RCW.

Pursuant to notice filed as WSR 90-09-056 on April 16, 1990.

Effective Date of Rule: Thirty-one days after filing.

June 6, 1990

Michael V. Schwisow
 Deputy Director
 for C. Alan Pettibone
 Director

AMENDATORY SECTION (Amending Order 1985, filed 8/9/88)

WAC 16-488-025 BLUEBERRY QUARANTINE EXEMPTIONS. Fresh fruit of blueberry may be moved or shipped from quarantined areas into Washington state under the following conditions:

(1) No restrictions are placed by this section on the entry into this state of fruits which upon arrival are frozen solid and which are under refrigeration to assure their solid frozen state.

(2) Commodities covered which are held in cold storage for a continuous period of forty days or more, during which period the temperature within the storage room is maintained at thirty-two degrees fahrenheit or less, may be admitted: PROVIDED, That a lot or shipment is accompanied by a certificate issued by an official governmental agency from the state of origin evidencing compliance with the minimum requirements of this section.

(3) Each shipment of blueberries that have been fumigated with methylbromide at atmospheric pressure by one of the following schedules may be permitted entry into Washington state: PROVIDED, That residues on fresh fruit of blueberries do not exceed the Federal Food and Drug Administration's allowable tolerances.

32 g/m³ (2 lbs./1,000 ft.³) for 2 hours at 27.7°C (82°F) or above; or

32 g/m³ (2 lbs./1,000 ft.³) for 2 1/2 hours at 22.2°C - 27.2°C (72°F-81°F); or

32 g/m³ (2 lbs./1,000 ft.³) for 3 hours at 16.6°C - 21.6°C (62°F-71°F); or

32 g/m³ (2 lbs./1,000 ft.³) for 3 1/2 hours at 10°C - 16.1°C (50°F-61°F).

(a) The fumigation shall be done by applicators who are registered or certified in fumigation pest control in the state of origin;

(b) Each fumigation shall be monitored and supervised by an authorized representative of the origin state department of agriculture;

(c) Each shipment of blueberries shall be accompanied by a phyto-sanitary certificate issued by an authorized representative of the origin state department of agriculture evidencing compliance with the fumigation requirements. The certificate shall state the number of cartons in the shipment and the name and address of the consignee. In addition, a copy of the phyto-sanitary certificate and the estimated date of arrival shall be sent, by mail or electronically, to the Washington state department of agriculture, plant services division, prior to the shipment of the blueberries; and

(d) All shipping containers (flats) shall be stamped or tagged indicating the fresh fruit of blueberries have undergone fumigation.

Table of WAC Sections Affected

KEY TO TABLE

Symbols:

- AMD = Amendment of existing section
- NEW = New section not previously codified
- OBJEC = Notice of objection by Joint Administrative Rules Review Committee
- PREP = Preproposal comments
- RE-AD = Readoption of existing section
- REP = Repeal of existing section
- REAFF = Order assuming and reaffirming rules
- REMOV = Removal of rule pursuant to RCW 34.04.050(5)
- RESCIND = Rescind previous emergency rule
- REVIEW = Review of previously adopted rule
- STMT = Statement regarding previously adopted rule

Suffixes:

- P = Proposed action
- C = Continuance of previous proposal
- E = Emergency action
- S = Supplemental notice
- W = Withdrawal of proposed action
- No suffix means permanent action

This table covers the current calendar year through this issue of the Register and should be used to locate rules amended, adopted, or repealed subsequent to the publication date of the latest WAC or Supplement.

WAC # shows the section number under which an agency rule is or will be codified in the Washington Administrative Code.

WSR # shows the issue of the Washington State Register where the document may be found; the last three digits show the sequence of the document within the issue.

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
16-22-040	AMD-P 90-07-065	16-228-720	NEW-C 90-06-012	16-304-110	AMD 90-12-098
16-22-040	AMD 90-10-046	16-228-720	NEW-W 90-07-042	16-304-130	AMD-P 90-09-064
16-86	AMD-E 90-05-049	16-230	AMD-C 90-08-062	16-304-130	AMD 90-12-098
16-86	AMD-P 90-07-066	16-230-615	AMD-E 90-08-017	16-316-165	AMD-P 90-09-064
16-86	AMD 90-10-045	16-230-805	REP-P 90-04-109	16-316-165	AMD 90-12-098
16-86-005	AMD-E 90-05-049	16-230-805	REP-E 90-09-011	16-316-285	AMD-P 90-03-090
16-86-005	AMD-P 90-07-066	16-230-805	REP-W 90-11-025	16-316-285	AMD-W 90-06-105
16-86-005	AMD 90-10-045	16-230-805	REP-P 90-11-125	16-316-290	AMD-P 90-03-090
16-86-093	NEW-E 90-05-049	16-230-825	AMD-E 90-09-011	16-316-290	AMD-W 90-06-105
16-86-093	NEW-P 90-07-066	16-230-825	AMD-P 90-11-125	16-316-370	AMD-P 90-09-064
16-86-093	NEW 90-10-045	16-230-835	AMD-P 90-04-109	16-316-370	AMD 90-12-098
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16-158-010	NEW 90-12-097	16-230-835	AMD-W 90-11-025	16-316-474	AMD 90-12-098
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16-158-020	NEW 90-12-097	16-230-839	NEW-P 90-04-109	16-316-525	AMD 90-12-098
16-158-030	NEW-P 90-08-090	16-230-839	NEW-W 90-11-025	16-316-620	AMD-P 90-09-064
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16-158-050	NEW-P 90-08-090	16-230-845	AMD-E 90-09-011	16-316-715	AMD-P 90-09-064
16-158-050	NEW 90-12-097	16-230-845	AMD-W 90-11-025	16-316-715	AMD 90-12-098
16-158-060	NEW-P 90-08-090	16-230-845	AMD-P 90-11-125	16-316-724	AMD-P 90-09-064
16-158-060	NEW 90-12-097	16-230-850	REP-P 90-04-109	16-316-724	AMD 90-12-098
16-158-070	NEW-P 90-08-090	16-230-850	AMD-E 90-09-011	16-316-800	AMD-P 90-09-064
16-158-070	NEW 90-12-097	16-230-850	REP-W 90-11-025	16-316-800	AMD 90-12-098
16-158-080	NEW-P 90-08-090	16-230-850	AMD-P 90-11-125	16-316-815	AMD-P 90-09-064
16-158-080	NEW 90-12-097	16-230-855	AMD-P 90-04-109	16-316-815	AMD 90-12-098
16-158-090	NEW-P 90-08-090	16-230-855	AMD-E 90-09-011	16-316-820	AMD-P 90-09-064
16-158-090	NEW 90-12-097	16-230-855	AMD-W 90-11-025	16-316-820	AMD 90-12-098
16-158-100	NEW-P 90-08-090	16-230-855	AMD-P 90-11-125	16-317-040	AMD 90-04-003
16-158-100	NEW 90-12-097	16-230-859	NEW-P 90-04-109	16-317-050	AMD 90-04-003
16-158-110	NEW-P 90-08-090	16-230-859	NEW-W 90-11-025	16-317-060	AMD 90-04-003
16-158-110	NEW 90-12-097	16-230-860	REP-P 90-04-109	16-317-090	REP 90-04-003
16-158-120	NEW-P 90-08-090	16-230-860	AMD-E 90-09-011	16-318-040	AMD 90-03-026
16-158-120	NEW 90-12-097	16-230-860	REP-W 90-11-025	16-318-065	NEW 90-03-026
16-158-130	NEW-P 90-08-090	16-230-860	AMD-P 90-11-125	16-318-200	NEW 90-03-026
16-158-130	NEW 90-12-097	16-230-861	NEW-P 90-04-109	16-318-205	NEW 90-03-026
16-158-140	NEW-P 90-08-090	16-230-861	NEW-E 90-09-011	16-318-210	NEW 90-03-026
16-158-140	NEW 90-12-097	16-230-861	NEW-W 90-11-025	16-318-215	NEW 90-03-026
16-228-164	AMD-E 90-08-017	16-230-861	NEW-P 90-11-125	16-318-220	NEW 90-03-026
16-228-190	AMD-C 90-06-014	16-230-862	NEW-P 90-04-109	16-318-225	NEW 90-03-026
16-228-190	AMD 90-11-024	16-230-862	NEW-W 90-11-025	16-318-230	NEW 90-03-026
16-228-700	NEW-C 90-06-012	16-230-863	NEW-P 90-04-109	16-318-235	NEW 90-03-026
16-228-700	NEW-W 90-07-042	16-230-863	NEW-W 90-11-025	16-318-240	NEW 90-03-026
16-228-705	NEW-C 90-06-012	16-230-865	AMD-P 90-11-125	16-318-300	NEW 90-03-026
16-228-705	NEW-W 90-07-042	16-300-020	AMD-P 90-09-064	16-318-305	NEW 90-03-026
16-228-710	NEW-C 90-06-012	16-300-020	AMD 90-12-098	16-318-310	NEW 90-03-026
16-228-710	NEW-W 90-07-042	16-304-040	AMD-P 90-09-064	16-318-315	NEW 90-03-026
16-228-715	NEW-C 90-06-012	16-304-040	AMD 90-12-098	16-318-320	NEW 90-03-026
16-228-715	NEW-W 90-07-042	16-304-110	AMD-P 90-09-064	16-318-325	NEW 90-03-026

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
16-318-330	NEW	90-03-026	16-570-040	AMD	90-07-013	51-12-204	AMD-C	90-11-020
16-318-335	NEW	90-03-026	16-622-001	NEW	90-08-069	51-12-220	AMD	90-02-110
16-318-340	NEW	90-03-026	16-622-005	NEW	90-08-069	51-12-403	AMD	90-02-110
16-318-345	NEW	90-03-026	16-622-010	NEW	90-08-069	51-12-404	AMD	90-02-110
16-318-350	NEW	90-03-026	16-622-015	NEW	90-08-069	51-12-411	AMD-P	90-05-064
16-318-355	NEW	90-03-026	16-622-020	NEW	90-08-069	51-12-411	AMD-C	90-11-020
16-318-360	NEW	90-03-026	16-622-025	NEW	90-08-069	51-12-426	AMD	90-02-110
16-318-365	NEW	90-03-026	16-622-030	NEW	90-08-069	51-12-601	AMD	90-02-110
16-318-370	NEW	90-03-026	16-622-035	NEW	90-08-069	51-12-602	AMD-P	90-05-064
16-318-375	NEW	90-03-026	16-622-040	NEW	90-08-069	51-12-602	AMD-C	90-11-020
16-318-380	NEW	90-03-026	16-622-045	NEW	90-08-069	51-12-608	AMD	90-02-110
16-318-385	NEW	90-03-026	16-622-050	NEW	90-08-069	51-16-030	AMD	90-02-110
16-318-390	NEW	90-03-026	16-622-055	NEW	90-08-069	51-16-050	AMD	90-02-110
16-318-395	NEW	90-03-026	16-622-900	NEW	90-08-069	51-16-080	AMD-P	90-07-083
16-318-400	NEW	90-03-026	16-752-400	NEW-P	90-11-089	51-16-090	REP-P	90-07-083
16-318-405	NEW	90-03-026	16-752-405	NEW-P	90-11-089	51-18-010	NEW	90-02-110
16-318-410	NEW	90-03-026	16-752-410	NEW-P	90-11-089	51-18-020	NEW	90-02-110
16-318-415	NEW	90-03-026	16-752-415	NEW-P	90-11-089	51-18-030	NEW	90-02-110
16-318-420	NEW	90-03-026	16-752-420	NEW-P	90-11-089	51-18-040	NEW	90-02-110
16-400-010	AMD-E	90-03-034	44-10-090	AMD-E	90-11-033	51-18-050	NEW	90-02-110
16-400-010	AMD-P	90-05-065	44-10-090	AMD-P	90-11-034	67-25-560	AMD	90-11-047
16-400-010	AMD	90-09-031	44-10-160	AMD-P	90-11-034	67-25-570	AMD	90-11-047
16-400-100	AMD-E	90-03-034	44-10-200	AMD-P	90-11-034	72-100-001	NEW-P	90-10-101
16-400-100	AMD-P	90-05-065	44-10-215	REP-P	90-11-034	72-108-010	NEW-P	90-10-102
16-400-100	AMD	90-09-031	44-10-235	NEW-P	90-11-034	72-108-020	NEW-P	90-10-102
16-400-210	AMD-E	90-03-034	50-12-040	REP-P	90-09-090	72-108-030	NEW-P	90-10-102
16-400-210	AMD-P	90-05-065	50-12-040	REP	90-12-008	72-108-040	NEW-P	90-10-102
16-400-210	AMD	90-09-031	50-12-045	NEW-P	90-09-090	72-108-060	NEW-P	90-10-102
16-403-142	AMD-W	90-03-036	50-12-045	NEW	90-12-008	72-108-070	NEW-P	90-10-102
16-403-142	AMD-P	90-05-066	50-12-310	NEW	90-10-074	72-108-080	NEW-P	90-10-102
16-403-142	AMD-P	90-05-067	50-12-320	NEW	90-10-074	72-108-090	NEW-P	90-10-102
16-403-142	AMD	90-09-032	50-12-330	NEW	90-10-074	72-108-100	NEW-P	90-10-102
16-403-142	AMD-W	90-11-009	50-12-340	NEW	90-10-074	72-120-010	NEW-P	90-10-103
16-403-155	AMD-W	90-03-036	50-12-350	NEW	90-10-074	72-120-015	NEW-P	90-10-103
16-403-155	AMD-P	90-05-066	50-12-360	NEW	90-10-074	72-120-100	NEW-P	90-10-103
16-403-155	AMD-P	90-10-086	50-12-370	NEW	90-10-074	72-120-200	NEW-P	90-10-103
16-403-155	AMD-W	90-11-009	50-36-090	AMD-P	90-03-105	72-120-205	NEW-P	90-10-103
16-403-190	AMD-E	90-03-035	50-36-090	AMD	90-07-011	72-120-210	NEW-P	90-10-103
16-403-190	AMD-W	90-03-036	50-44-010	AMD-P	90-09-091	72-120-220	NEW-P	90-10-103
16-403-190	AMD-P	90-05-066	50-44-010	AMD	90-12-007	72-120-225	NEW-P	90-10-103
16-403-190	AMD-P	90-05-067	50-44-020	AMD-P	90-09-091	72-120-230	NEW-P	90-10-103
16-403-190	AMD	90-09-032	50-44-020	AMD	90-12-007	72-120-234	NEW-P	90-10-103
16-403-190	AMD-W	90-11-009	50-44-030	AMD-P	90-09-091	72-120-236	NEW-P	90-10-103
16-403-220	AMD-W	90-03-036	50-44-030	AMD	90-12-007	72-130-010	NEW-P	90-10-104
16-403-220	AMD-P	90-05-066	50-44-050	NEW-P	90-09-091	72-130-020	NEW-P	90-10-104
16-403-220	AMD-W	90-11-009	50-44-050	NEW	90-12-007	72-130-030	NEW-P	90-10-104
16-403-280	AMD-W	90-03-036	51-04-010	AMD	90-02-108	72-130-035	NEW-P	90-10-104
16-403-280	AMD-P	90-05-066	51-04-015	NEW	90-02-108	72-130-040	NEW-P	90-10-104
16-403-280	AMD-W	90-11-009	51-04-018	NEW	90-02-108	72-130-050	NEW-P	90-10-104
16-462-060	NEW-P	90-06-050	51-04-020	AMD	90-02-108	72-140-010	NEW-P	90-10-105
16-462-060	NEW	90-10-043	51-04-025	NEW	90-02-108	72-140-020	NEW-P	90-10-105
16-470-700	NEW-P	90-11-100	51-04-030	NEW	90-02-108	72-140-030	NEW-P	90-10-105
16-470-705	NEW-P	90-11-100	51-04-035	NEW	90-02-108	72-140-040	NEW-P	90-10-105
16-470-710	NEW-P	90-11-100	51-04-037	NEW	90-02-108	72-140-050	NEW-P	90-10-105
16-470-715	NEW-P	90-11-100	51-04-040	NEW	90-02-108	72-140-060	NEW-P	90-10-105
16-470-720	NEW-P	90-11-100	51-04-050	NEW	90-02-108	72-140-070	NEW-P	90-10-105
16-488-025	AMD-P	90-09-056	51-04-060	NEW	90-02-108	72-140-080	NEW-P	90-10-105
16-488-025	AMD	90-12-123	51-04-070	NEW	90-02-108	72-171-001	NEW-P	90-10-106
16-494-001	AMD-P	90-03-090	51-06-010	AMD	90-02-108	72-171-010	NEW-P	90-10-106
16-494-001	AMD-W	90-06-105	51-06-020	AMD	90-02-108	72-171-015	NEW-P	90-10-106
16-494-010	AMD-P	90-03-090	51-06-030	REP	90-02-108	72-171-016	NEW-P	90-10-106
16-494-010	AMD-W	90-06-105	51-06-040	REP	90-02-108	72-171-100	NEW-P	90-10-106
16-516-040	AMD	90-09-068	51-06-050	REP	90-02-108	72-171-110	NEW-P	90-10-106
16-555-010	AMD-P	90-05-059	51-06-060	REP	90-02-108	72-171-120	NEW-P	90-10-106
16-555-010	AMD	90-11-001	51-06-070	AMD	90-02-108	72-171-130	NEW-P	90-10-106
16-555-040	AMD-P	90-05-059	51-06-080	REP	90-02-108	72-171-140	NEW-P	90-10-106
16-555-040	AMD-W	90-11-026	51-06-090	REP	90-02-108	72-171-150	NEW-P	90-10-106
16-557-010	NEW-W	90-05-068	51-06-100	REP	90-02-108	72-171-200	NEW-P	90-10-106
16-557-020	NEW-W	90-05-068	51-06-110	REP	90-02-108	72-171-210	NEW-P	90-10-106
16-557-030	NEW-W	90-05-068	51-06-120	AMD	90-02-108	72-171-220	NEW-P	90-10-106
16-557-040	NEW-W	90-05-068	51-08-010	AMD	90-02-108	72-171-230	NEW-P	90-10-106
16-557-041	NEW-W	90-05-068	51-10	AMD	90-02-110	72-171-240	NEW-P	90-10-106
16-557-050	NEW-W	90-05-068	51-12-201	AMD-P	90-05-064	72-171-400	NEW-P	90-10-106
16-557-060	NEW-W	90-05-068	51-12-201	AMD-C	90-11-020	72-171-410	NEW-P	90-10-106
16-557-070	NEW-W	90-05-068	51-12-202	AMD-P	90-05-064	72-171-420	NEW-P	90-10-106
16-557-080	NEW-W	90-05-068	51-12-202	AMD-C	90-11-020	72-171-430	NEW-P	90-10-106
16-570-040	AMD-P	90-03-071	51-12-204	AMD-P	90-05-064	72-171-500	NEW-P	90-10-106

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
72-171-510	NEW-P	90-10-106	132D-130-060	NEW	90-05-045	132H-108-090	REP	90-09-066
72-171-600	NEW-P	90-10-106	132D-130-070	NEW	90-05-045	132H-108-100	REP-P	90-03-077
72-171-610	NEW-P	90-10-106	132D-130-075	NEW	90-05-045	132H-108-100	REP-E	90-03-079
72-171-620	NEW-P	90-10-106	132D-130-080	NEW	90-05-045	132H-108-100	REP	90-09-066
72-171-630	NEW-P	90-10-106	132D-130-085	NEW	90-05-045	132H-108-110	REP-P	90-03-077
72-171-640	NEW-P	90-10-106	132D-130-090	NEW	90-05-045	132H-108-110	REP-E	90-03-079
72-171-650	NEW-P	90-10-106	132D-130-095	NEW	90-05-045	132H-108-110	REP	90-09-066
72-276-010	NEW-P	90-10-107	132D-130-100	NEW	90-05-045	132H-108-120	REP-P	90-03-077
72-276-020	NEW-P	90-10-107	132D-133-020	NEW	90-05-045	132H-108-120	REP-E	90-03-079
72-276-030	NEW-P	90-10-107	132D-400-010	NEW	90-05-045	132H-108-120	REP	90-09-066
72-276-040	NEW-P	90-10-107	132D-400-020	NEW	90-05-045	132H-108-130	REP-P	90-03-077
72-276-050	NEW-P	90-10-107	132D-400-030	NEW	90-05-045	132H-108-130	REP-E	90-03-079
72-276-060	NEW-P	90-10-107	132D-400-040	NEW	90-05-045	132H-108-130	REP	90-09-066
72-276-070	NEW-P	90-10-107	132E-108-010	NEW-P	90-03-012	132H-108-140	REP-P	90-03-077
72-276-080	NEW-P	90-10-107	132E-108-010	NEW	90-09-006	132H-108-140	REP-E	90-03-079
72-276-090	NEW-P	90-10-107	132E-108-020	NEW-P	90-03-012	132H-108-140	REP	90-09-066
72-276-100	NEW-P	90-10-107	132E-108-020	NEW	90-09-006	132H-108-150	REP-P	90-03-077
72-276-110	NEW-P	90-10-107	132E-108-030	NEW-P	90-03-012	132H-108-150	REP-E	90-03-079
72-276-120	NEW-P	90-10-107	132E-108-030	NEW	90-09-006	132H-108-150	REP	90-09-066
72-276-130	NEW-P	90-10-107	132E-108-040	NEW-P	90-03-012	132H-108-160	REP-P	90-03-077
72-276-140	NEW-P	90-10-107	132E-108-040	NEW	90-09-006	132H-108-160	REP-E	90-03-079
72-280-010	NEW-P	90-10-108	132E-108-050	NEW-P	90-03-012	132H-108-160	REP	90-09-066
72-280-011	NEW-P	90-10-108	132E-108-050	NEW	90-09-006	132H-108-170	REP-P	90-03-077
72-280-015	NEW-P	90-10-108	132E-108-060	NEW-P	90-03-012	132H-108-170	REP-E	90-03-079
72-280-020	NEW-P	90-10-108	132E-108-060	NEW	90-09-006	132H-108-170	REP	90-09-066
72-280-025	NEW-P	90-10-108	132E-108-070	NEW-P	90-03-012	132H-108-180	REP-P	90-03-077
72-280-030	NEW-P	90-10-108	132E-108-070	NEW	90-09-006	132H-108-180	REP-E	90-03-079
72-280-040	NEW-P	90-10-108	132E-108-080	NEW-P	90-03-012	132H-108-180	REP	90-09-066
72-280-050	NEW-P	90-10-108	132E-108-080	NEW	90-09-006	132H-108-190	REP-P	90-03-077
72-280-055	NEW-P	90-10-108	132E-133-020	NEW-P	90-03-019	132H-108-190	REP-E	90-03-079
72-280-060	NEW-P	90-10-108	132E-133-020	NEW	90-09-049	132H-108-190	REP	90-09-066
72-280-070	NEW-P	90-10-108	132E-400-010	NEW-P	90-03-021	132H-108-200	REP-P	90-03-077
72-325-010	NEW-P	90-10-109	132E-400-010	NEW	90-09-005	132H-108-200	REP-E	90-03-079
82-30-010	NEW	90-12-009	132E-400-020	NEW-P	90-03-021	132H-108-200	REP	90-09-066
82-30-020	NEW	90-12-009	132E-400-020	NEW	90-09-005	132H-108-210	REP-P	90-03-077
82-30-030	NEW	90-12-009	132E-400-030	NEW-P	90-03-021	132H-108-210	REP-E	90-03-079
82-30-040	NEW	90-12-009	132E-400-030	NEW	90-09-005	132H-108-210	REP	90-09-066
82-30-050	NEW	90-12-009	132E-400-040	NEW-P	90-03-021	132H-108-220	REP-P	90-03-077
82-30-060	NEW	90-12-009	132E-400-040	NEW	90-09-005	132H-108-220	REP-E	90-03-079
113-12-104	NEW-P	90-09-077	132G-108-010	NEW-P	90-10-049	132H-108-220	REP	90-09-066
113-12-130	REP-P	90-04-029	132G-108-020	NEW-P	90-10-049	132H-108-230	REP-P	90-03-077
113-12-130	REP	90-08-035	132G-108-030	NEW-P	90-10-049	132H-108-230	REP-E	90-03-079
113-12-160	REP-P	90-04-029	132G-108-040	NEW-P	90-10-049	132H-108-230	REP	90-09-066
113-12-160	REP	90-08-035	132G-108-050	NEW-P	90-10-049	132H-108-240	REP-P	90-03-077
113-12-161	REP-P	90-04-029	132G-108-060	NEW-P	90-10-049	132H-108-240	REP-E	90-03-079
113-12-161	REP	90-08-035	132G-108-070	NEW-P	90-10-049	132H-108-240	REP	90-09-066
113-12-200	AMD-P	90-04-029	132G-108-080	NEW-P	90-10-049	132H-108-250	REP-P	90-03-077
113-12-200	AMD-C	90-08-036	132G-133-020	NEW-P	90-10-050	132H-108-250	REP-E	90-03-079
114-12-136	AMD	90-04-094	132H-108-005	REP-P	90-03-077	132H-108-250	REP	90-09-066
114-12-155	AMD-P	90-11-045	132H-108-005	REP-E	90-03-079	132H-108-260	REP-P	90-03-077
114-12-190	AMD-P	90-11-045	132H-108-005	REP	90-09-066	132H-108-260	REP-E	90-03-079
130-14-010	NEW-P	90-12-110	132H-108-010	REP-P	90-03-077	132H-108-260	REP	90-09-066
130-14-020	NEW-P	90-12-110	132H-108-010	REP-E	90-03-079	132H-108-270	REP-P	90-03-077
130-14-030	NEW-P	90-12-110	132H-108-010	REP	90-09-066	132H-108-270	REP-E	90-03-079
130-14-040	NEW-P	90-12-110	132H-108-020	REP-P	90-03-077	132H-108-270	REP	90-09-066
130-14-050	NEW-P	90-12-110	132H-108-020	REP-E	90-03-079	132H-108-280	REP-P	90-03-077
130-14-060	NEW-P	90-12-110	132H-108-020	REP	90-09-066	132H-108-280	REP-E	90-03-079
130-14-070	NEW-P	90-12-110	132H-108-030	REP-P	90-03-077	132H-108-280	REP	90-09-066
131-16-055	NEW-E	90-04-066	132H-108-030	REP-E	90-03-079	132H-108-290	REP-P	90-03-077
131-16-500	NEW-E	90-09-069	132H-108-030	REP	90-09-066	132H-108-290	REP-E	90-03-079
132D-108-010	NEW	90-05-045	132H-108-040	REP-P	90-03-077	132H-108-290	REP	90-09-066
132D-108-020	NEW	90-05-045	132H-108-040	REP-E	90-03-079	132H-108-300	REP-P	90-03-077
132D-108-030	NEW	90-05-045	132H-108-040	REP	90-09-066	132H-108-300	REP-E	90-03-079
132D-108-040	NEW	90-05-045	132H-108-050	REP-P	90-03-077	132H-108-300	REP	90-09-066
132D-108-050	NEW	90-05-045	132H-108-050	REP-E	90-03-079	132H-108-310	REP-P	90-03-077
132D-108-060	NEW	90-05-045	132H-108-050	REP	90-09-066	132H-108-310	REP-E	90-03-079
132D-108-070	NEW	90-05-045	132H-108-060	REP-P	90-03-077	132H-108-310	REP	90-09-066
132D-108-080	NEW	90-05-045	132H-108-060	REP-E	90-03-079	132H-108-320	REP-P	90-03-077
132D-108-090	NEW	90-05-045	132H-108-060	REP	90-09-066	132H-108-320	REP-E	90-03-079
132D-130-010	NEW	90-05-045	132H-108-070	REP-P	90-03-077	132H-108-320	REP	90-09-066
132D-130-020	NEW	90-05-045	132H-108-070	REP-E	90-03-079	132H-108-330	REP-P	90-03-077
132D-130-030	NEW	90-05-045	132H-108-070	REP	90-09-066	132H-108-330	REP-E	90-03-079
132D-130-035	NEW	90-05-045	132H-108-080	REP-P	90-03-077	132H-108-330	REP	90-09-066
132D-130-040	NEW	90-05-045	132H-108-080	REP-E	90-03-079	132H-108-410	NEW-P	90-03-077
132D-130-045	NEW	90-05-045	132H-108-080	REP	90-09-066	132H-108-410	NEW-E	90-03-079
132D-130-050	NEW	90-05-045	132H-108-090	REP-P	90-03-077	132H-108-410	NEW	90-09-066
132D-130-055	NEW	90-05-045	132H-108-090	REP-E	90-03-079	132H-108-420	NEW-P	90-03-077

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132H-108-420	NEW 90-09-066	132L-108-080	NEW 90-05-005	132T-104-100	REP 90-03-065
132H-108-430	NEW-P 90-03-077	132L-133-020	NEW-E 90-03-074	132T-104-110	REP 90-03-065
132H-108-430	NEW-E 90-03-079	132L-133-020	NEW 90-05-005	132T-104-120	REP 90-03-065
132H-108-430	NEW 90-09-066	132L-280-010	NEW 90-05-004	132T-104-121	REP 90-03-065
132H-108-440	NEW-P 90-03-077	132L-280-015	NEW 90-05-004	132T-104-130	REP 90-03-065
132H-108-440	NEW-E 90-03-079	132L-280-020	NEW 90-05-004	132T-104-200	REP 90-03-065
132H-108-440	NEW 90-09-066	132L-280-030	NEW 90-05-004	132T-104-210	REP 90-03-065
132H-108-450	NEW-P 90-03-077	132L-280-040	NEW 90-05-004	132T-104-240	REP 90-03-065
132H-108-450	NEW-E 90-03-079	132L-280-050	NEW 90-05-004	132T-104-250	REP 90-03-065
132H-108-450	NEW 90-09-066	132L-280-060	NEW 90-05-004	132T-104-260	REP 90-03-065
132H-108-460	NEW-P 90-03-077	132L-280-070	NEW 90-05-004	132T-104-265	REP 90-03-065
132H-108-460	NEW-E 90-03-079	132L-280-080	NEW 90-05-004	132T-104-270	REP 90-03-065
132H-108-460	NEW 90-09-066	132L-280-090	NEW 90-05-004	132T-104-280	REP 90-03-065
132H-108-470	NEW-P 90-03-077	132L-280-100	NEW 90-05-004	132U-03-010	NEW 90-05-043
132H-108-470	NEW-E 90-03-079	132L-280-110	NEW 90-05-004	132U-03-020	NEW 90-05-043
132H-108-470	NEW 90-09-066	132L-280-120	NEW 90-05-004	132U-03-030	NEW 90-05-043
132H-108-480	NEW-P 90-03-077	132L-400-010	NEW-E 90-03-073	132U-108-010	NEW 90-05-043
132H-108-480	NEW-E 90-03-079	132L-400-010	NEW 90-05-009	132U-108-020	NEW 90-05-043
132H-108-480	NEW 90-09-066	132L-400-020	NEW 90-05-009	132U-108-021	NEW 90-05-043
132H-200-040	NEW-P 90-03-076	132L-400-030	NEW 90-05-009	132U-108-030	NEW 90-05-043
132H-200-040	NEW-E 90-03-080	132L-400-040	NEW 90-05-009	132U-116-030	AMD 90-05-043
132H-200-040	NEW 90-09-065	132N-400-010	NEW-P 90-04-079	132U-400-010	NEW 90-05-043
132H-400-005	NEW-P 90-03-078	132N-400-010	NEW-C 90-10-026	132V-400-010	NEW-P 90-03-094
132H-400-005	NEW-E 90-03-081	132N-400-020	NEW-P 90-04-079	132V-400-010	NEW 90-07-038
132H-400-005	NEW 90-09-067	132N-400-020	NEW-C 90-10-026	132V-400-020	NEW-P 90-03-094
132H-400-010	NEW-P 90-03-078	132N-400-030	NEW-P 90-04-079	132V-400-020	NEW 90-07-038
132H-400-010	NEW-E 90-03-081	132N-400-030	NEW-C 90-10-026	132V-400-030	NEW-P 90-03-094
132H-400-010	NEW 90-09-067	132N-400-040	NEW-P 90-04-079	132V-400-030	NEW 90-07-038
132H-400-020	NEW-P 90-03-078	132N-400-040	NEW-C 90-10-026	132V-400-040	NEW-P 90-03-094
132H-400-020	NEW-E 90-03-081	132P-136-040	AMD-P 90-07-058	132V-400-040	NEW 90-07-038
132H-400-020	NEW 90-09-067	132P-136-040	AMD 90-11-077	132X-60-160	NEW-P 90-10-041
132H-400-030	NEW-P 90-03-078	132S-01-010	NEW-P 90-03-082	132X-60-170	NEW-P 90-10-041
132H-400-030	NEW-E 90-03-081	132S-01-010	NEW 90-07-006	132X-60-180	NEW-P 90-10-041
132H-400-030	NEW 90-09-067	132S-01-020	NEW-P 90-03-082	132X-60-190	NEW-P 90-10-041
132H-400-040	NEW-P 90-03-078	132S-01-020	NEW 90-07-006	132Y-108-010	NEW-P 90-02-062
132H-400-040	NEW-E 90-03-081	132S-01-030	NEW-P 90-03-082	132Y-108-010	NEW 90-08-022
132H-400-040	NEW 90-09-067	132S-01-030	NEW 90-07-006	132Y-108-020	NEW-P 90-02-062
132J-108-010	NEW-P 90-12-109	132S-01-040	NEW-P 90-03-082	132Y-108-020	NEW 90-08-022
132J-108-020	NEW-P 90-12-109	132S-01-040	NEW 90-07-006	132Y-108-030	NEW-P 90-02-062
132J-108-030	NEW-P 90-12-109	132S-01-050	NEW-P 90-03-082	132Y-108-030	NEW 90-08-022
132J-108-040	NEW-P 90-12-109	132S-01-050	NEW 90-07-006	132Y-108-040	NEW-P 90-02-062
132J-108-050	NEW-P 90-12-109	132S-01-060	NEW-P 90-03-082	132Y-108-040	NEW 90-08-022
132J-108-060	NEW-P 90-12-109	132S-01-060	NEW 90-07-006	132Y-108-050	NEW-P 90-02-062
132J-108-070	NEW-P 90-12-109	132S-01-070	NEW-P 90-03-082	132Y-108-050	NEW 90-08-022
132J-108-110	NEW-P 90-12-012	132S-01-070	NEW 90-07-006	132Y-108-060	NEW-P 90-02-062
132J-108-110	NEW-W 90-12-108	132S-01-080	NEW-P 90-03-082	132Y-108-060	NEW 90-08-022
132J-108-120	NEW-P 90-12-012	132S-01-080	NEW 90-07-006	132Y-108-070	NEW-P 90-02-062
132J-108-120	NEW-W 90-12-108	132S-01-090	NEW-P 90-03-082	132Y-108-070	NEW 90-08-022
132J-108-130	NEW-P 90-12-012	132S-01-090	NEW 90-07-006	132Y-108-080	NEW-P 90-02-062
132J-108-130	NEW-W 90-12-108	132S-05-010	NEW-P 90-03-082	132Y-108-080	NEW 90-08-022
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132J-108-140	NEW-W 90-12-108	132S-05-015	NEW-P 90-03-082	136-01-010	AMD 90-07-071
132J-108-150	NEW-P 90-12-012	132S-05-015	NEW 90-07-006	136-01-030	AMD 90-07-071
132J-108-150	NEW-W 90-12-108	132S-05-020	NEW-P 90-03-082	136-01-040	REP 90-07-071
132J-108-160	NEW-P 90-12-012	132S-05-020	NEW 90-07-006	136-04-020	AMD 90-07-072
132J-108-160	NEW-W 90-12-108	132S-30-037	NEW-P 90-03-082	136-04-030	AMD 90-07-072
132J-108-170	NEW-P 90-12-012	132S-30-037	NEW 90-07-006	136-04-040	AMD 90-07-072
132J-108-170	NEW-W 90-12-108	132S-40-130	NEW-P 90-03-082	136-04-060	AMD 90-07-072
132J-108-180	NEW-P 90-12-012	132S-40-130	NEW 90-07-006	136-04-080	AMD 90-07-072
132J-108-180	NEW-W 90-12-108	132S-40-135	NEW-P 90-03-082	136-04-090	AMD 90-07-072
132J-108-180	NEW-P 90-12-109	132S-40-135	NEW 90-07-006	136-04-100	AMD 90-07-072
132L-20-090	REP 90-05-004	132S-40-140	NEW-P 90-03-082	136-10-010	AMD 90-07-073
132L-108-010	NEW-E 90-03-074	132S-40-140	NEW 90-07-006	136-10-020	AMD 90-07-073
132L-108-010	NEW 90-05-005	132S-40-145	NEW-P 90-03-082	136-10-030	AMD 90-07-073
132L-108-020	NEW-E 90-03-074	132S-40-145	NEW 90-07-006	136-10-040	AMD 90-07-073
132L-108-020	NEW 90-05-005	132S-40-150	NEW-P 90-03-082	136-10-050	AMD 90-07-073
132L-108-030	NEW-E 90-03-074	132S-40-150	NEW 90-07-006	136-10-060	AMD 90-07-073
132L-108-030	NEW 90-05-005	132S-40-155	NEW-P 90-03-082	136-12-010	AMD 90-07-074
132L-108-040	NEW-E 90-03-074	132S-40-155	NEW 90-07-006	136-12-020	AMD 90-07-074
132L-108-040	NEW 90-05-005	132T-104-010	REP 90-03-065	136-12-030	AMD 90-07-074
132L-108-050	NEW-E 90-03-074	132T-104-020	REP 90-03-065	136-12-060	AMD 90-07-074
132L-108-050	NEW 90-05-005	132T-104-030	REP 90-03-065	136-12-070	AMD 90-07-074
132L-108-060	NEW-E 90-03-074	132T-104-040	REP 90-03-065	136-12-080	AMD 90-07-074
132L-108-060	NEW 90-05-005	132T-104-060	REP 90-03-065	136-14-010	AMD 90-07-075
132L-108-070	NEW-E 90-03-074	132T-104-070	REP 90-03-065	136-14-020	AMD 90-07-075
132L-108-070	NEW 90-05-005	132T-104-080	REP 90-03-065	136-14-030	AMD 90-07-075

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136-14-050	AMD	90-07-075	148-171-510	NEW-P	90-10-114	154-64-050	AMD-P	90-02-086
136-14-060	AMD	90-07-075	148-171-600	NEW-P	90-10-114	154-64-050	AMD	90-05-078
136-16-010	AMD	90-07-076	148-171-610	NEW-P	90-10-114	173-06-030	RE-AD	90-07-014
136-16-018	AMD	90-07-076	148-171-620	NEW-P	90-10-114	173-18-090	AMD-C	90-02-107
136-16-022	AMD	90-07-076	148-171-630	NEW-P	90-10-114	173-18-090	AMD	90-06-068
136-16-042	AMD	90-07-076	148-171-640	NEW-P	90-10-114	173-18-090	AMD-E	90-06-069
136-16-050	AMD	90-07-076	148-171-650	NEW-P	90-10-114	173-18-200	AMD-C	90-02-107
136-36-010	REP	90-07-077	148-276-010	NEW-P	90-10-115	173-18-200	AMD	90-06-068
136-36-020	REP	90-07-077	148-276-020	NEW-P	90-10-115	173-18-200	AMD-E	90-06-069
136-36-030	REP	90-07-077	148-276-030	NEW-P	90-10-115	173-19-1104	AMD	90-02-105
136-36-040	REP	90-07-077	148-276-040	NEW-P	90-10-115	173-19-220	AMD-P	90-03-112
136-300-010	NEW-E	90-11-113	148-276-050	NEW-P	90-10-115	173-19-220	AMD-C	90-08-122
136-300-020	NEW-E	90-11-113	148-276-060	NEW-P	90-10-115	173-19-220	AMD-C	90-07-061
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136-310-020	NEW-E	90-11-113	148-276-100	NEW-P	90-10-115	173-19-2505	AMD	90-06-067
136-310-030	NEW-E	90-11-113	148-276-110	NEW-P	90-10-115	173-19-2512	AMD	90-06-106
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136-330-020	NEW-E	90-11-113	148-280-020	NEW-P	90-10-116	173-19-3514	AMD	90-11-072
136-340-010	NEW-E	90-11-113	148-280-025	NEW-P	90-10-116	173-19-360	AMD-P	90-03-111
136-340-020	NEW-E	90-11-113	148-280-030	NEW-P	90-10-116	173-19-360	AMD-C	90-06-024
136-340-030	NEW-E	90-11-113	148-280-040	NEW-P	90-10-116	173-19-360	RE-AD	90-07-026
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139-05-925	NEW-P	90-03-085	148-325-010	NEW-P	90-10-117	173-19-3601	AMD	90-11-072
139-05-925	NEW	90-07-012	154-04-035	REP-P	90-02-086	173-19-390	RE-AD	90-07-025
148-100-001	NEW-P	90-10-110	154-04-035	REP	90-05-078	173-19-3910	RE-AD	90-07-028
148-108-010	NEW-P	90-10-111	154-04-041	NEW-P	90-02-086	173-19-420	AMD-C	90-05-077
148-108-020	NEW-P	90-10-111	154-04-041	NEW	90-05-078	173-19-420	AMD-C	90-08-122
148-108-030	NEW-P	90-10-111	154-04-110	REP-P	90-02-086	173-19-420	AMD	90-11-072
148-108-040	NEW-P	90-10-111	154-04-110	REP	90-05-078	173-19-4201	AMD-P	90-05-076
148-108-060	NEW-P	90-10-111	154-08-050	AMD-P	90-02-086	173-19-4201	AMD-C	90-08-122
148-108-070	NEW-P	90-10-111	154-08-050	AMD	90-05-078	173-19-4201	AMD	90-11-072
148-108-080	NEW-P	90-10-111	154-12-010	AMD-P	90-02-086	173-19-4202	AMD-P	90-05-076
148-108-090	NEW-P	90-10-111	154-12-010	AMD	90-05-078	173-19-4202	AMD-C	90-08-122
148-108-100	NEW-P	90-10-111	154-12-015	AMD-P	90-02-086	173-19-4202	AMD	90-11-072
148-130-010	NEW-P	90-10-112	154-12-015	AMD	90-05-078	173-19-4203	AMD-P	90-05-076
148-130-020	NEW-P	90-10-112	154-12-030	AMD-P	90-02-086	173-19-4203	AMD-C	90-08-122
148-130-030	NEW-P	90-10-112	154-12-030	AMD	90-05-078	173-19-4203	AMD	90-11-072
148-130-035	NEW-P	90-10-112	154-12-050	AMD-P	90-02-086	173-19-4204	AMD-P	90-05-076
148-130-040	NEW-P	90-10-112	154-12-050	AMD	90-05-078	173-19-4204	AMD-C	90-08-122
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148-140-010	NEW-P	90-10-113	154-12-070	AMD	90-05-078	173-19-4205	AMD-P	90-05-076
148-140-020	NEW-P	90-10-113	154-12-070	AMD	90-05-078	173-19-4205	AMD-C	90-08-122
148-140-030	NEW-P	90-10-113	154-12-080	AMD-P	90-02-086	173-19-4205	AMD	90-11-072
148-140-040	NEW-P	90-10-113	154-12-080	AMD	90-05-078	173-19-4206	AMD-P	90-05-076
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148-140-060	NEW-P	90-10-113	154-12-086	AMD-P	90-02-086	173-19-4206	AMD	90-11-072
148-140-070	NEW-P	90-10-113	154-12-086	AMD	90-05-078	173-19-4507	AMD	90-07-063
148-140-080	NEW-P	90-10-113	154-12-087	AMD-P	90-02-086	173-32-010	AMD-P	90-11-122
148-171-001	NEW-P	90-10-114	154-12-087	AMD	90-05-078	173-32-020	AMD-P	90-11-122
148-171-010	NEW-P	90-10-114	154-12-090	AMD-P	90-02-086	173-32-030	AMD-P	90-11-122
148-171-015	NEW-P	90-10-114	154-12-090	AMD	90-05-078	173-32-040	AMD-P	90-11-122
148-171-100	NEW-P	90-10-114	154-12-107	REP-P	90-02-086	173-50-010	RE-AD	90-07-017
148-171-110	NEW-P	90-10-114	154-12-107	REP	90-05-078	173-50-020	RE-AD	90-07-017
148-171-120	NEW-P	90-10-114	154-12-110	AMD-P	90-02-086	173-50-030	RE-AD	90-07-017
148-171-130	NEW-P	90-10-114	154-12-110	AMD	90-05-078	173-50-040	RE-AD	90-07-017
148-171-140	NEW-P	90-10-114	154-24-010	AMD-P	90-02-086	173-50-040	AMD-P	90-12-086
148-171-150	NEW-P	90-10-114	154-24-010	AMD	90-05-078	173-50-050	RE-AD	90-07-017
148-171-200	NEW-P	90-10-114	154-32-010	AMD-P	90-02-086	173-50-050	AMD-P	90-12-086
148-171-210	NEW-P	90-10-114	154-32-010	AMD	90-05-078	173-50-060	RE-AD	90-07-017
148-171-220	NEW-P	90-10-114	154-32-020	AMD-P	90-02-086	173-50-060	AMD-P	90-12-086
148-171-230	NEW-P	90-10-114	154-32-020	AMD	90-05-078	173-50-070	RE-AD	90-07-017
148-171-240	NEW-P	90-10-114	154-40	AMD-P	90-02-086	173-50-070	AMD-P	90-12-086
148-171-400	NEW-P	90-10-114	154-40	AMD	90-05-078	173-50-080	RE-AD	90-07-017
148-171-410	NEW-P	90-10-114	154-40-010	AMD-P	90-02-086	173-50-080	AMD-P	90-12-086
148-171-420	NEW-P	90-10-114	154-40-010	AMD	90-05-078	173-50-090	RE-AD	90-07-017
148-171-430	NEW-P	90-10-114	154-44-010	AMD-P	90-02-086	173-50-090	AMD-P	90-12-086

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173-50-100	RE-AD	90-07-017	173-220-210	AMD-P	90-12-086	173-309-060	AMD-P	90-11-122
173-50-100	AMD-P	90-12-086	173-221A-010	NEW-P	90-06-071	173-309-070	AMD-P	90-11-122
173-50-110	RE-AD	90-07-017	173-221A-020	NEW-P	90-06-071	173-309-080	AMD-P	90-11-122
173-50-110	AMD-P	90-12-086	173-221A-030	NEW-P	90-06-071	173-309-090	AMD-P	90-11-122
173-50-120	RE-AD	90-07-017	173-221A-100	NEW-P	90-06-071	173-311-010	NEW-P	90-12-094
173-50-120	AMD-P	90-12-086	173-221A-150	NEW-P	90-06-071	173-311-020	NEW-P	90-12-094
173-50-130	RE-AD	90-07-017	173-224-015	RE-AD	90-07-015	173-311-030	NEW-P	90-12-094
173-50-130	AMD-P	90-12-086	173-224-020	RE-AD	90-07-015	173-311-040	NEW-P	90-12-094
173-50-140	RE-AD	90-07-017	173-224-030	RE-AD	90-07-015	173-311-050	NEW-P	90-12-094
173-50-140	AMD-P	90-12-086	173-224-040	RE-AD	90-07-015	173-312-010	AMD-P	90-11-122
173-50-150	RE-AD	90-07-017	173-224-050	RE-AD	90-07-015	173-312-020	AMD-P	90-11-122
173-50-150	AMD-P	90-12-086	173-224-060	RE-AD	90-07-015	173-312-030	AMD-P	90-11-122
173-50-160	RE-AD	90-07-017	173-224-070	RE-AD	90-07-015	173-312-040	AMD-P	90-11-122
173-50-170	RE-AD	90-07-017	173-224-080	RE-AD	90-07-015	173-312-050	AMD-P	90-11-122
173-50-180	RE-AD	90-07-017	173-224-090	RE-AD	90-07-015	173-315-010	AMD	90-10-058
173-50-190	RE-AD	90-07-017	173-224-100	RE-AD	90-07-015	173-315-040	AMD	90-10-058
173-50-190	AMD-P	90-12-086	173-224-110	RE-AD	90-07-015	173-315-050	AMD	90-10-058
173-50-200	RE-AD	90-07-017	173-224-120	RE-AD	90-07-015	173-315-060	AMD-P	90-12-094
173-50-200	AMD-P	90-12-086	173-303	PREP	90-06-002	173-321-040	AMD-P	90-11-123
173-50-210	RE-AD	90-07-017	173-303-281	AMD-P	90-10-085	173-321-050	AMD-P	90-11-123
173-50-210	AMD-P	90-12-086	173-303-282	NEW-P	90-10-085	173-322-010	NEW	90-10-057
173-50-220	NEW	90-12-086	173-303-355	NEW-P	90-10-085	173-322-020	NEW	90-10-057
173-142-010	REP-P	90-11-059	173-303-420	REP-P	90-10-085	173-322-030	NEW	90-10-057
173-142-020	REP-P	90-11-059	173-303-806	AMD-P	90-10-085	173-322-040	NEW	90-10-057
173-142-030	REP-P	90-11-059	173-306-010	NEW-P	90-02-088	173-322-050	NEW	90-10-057
173-142-040	REP-P	90-11-059	173-306-010	NEW	90-10-047	173-322-060	NEW	90-10-057
173-142-050	REP-P	90-11-059	173-306-050	NEW-P	90-02-088	173-322-070	NEW	90-10-057
173-142-070	REP-P	90-11-059	173-306-050	NEW	90-10-047	173-322-080	NEW	90-10-057
173-142-080	REP-P	90-11-059	173-306-100	NEW-P	90-02-088	173-322-090	NEW	90-10-057
173-142-090	REP-P	90-11-059	173-306-100	NEW	90-10-047	173-322-100	NEW	90-10-057
173-142-100	REP-P	90-11-059	173-306-150	NEW-P	90-02-088	173-322-110	NEW	90-10-057
173-142-110	REP-P	90-11-059	173-306-150	NEW	90-10-047	173-322-120	NEW	90-10-057
173-158	AMD-P	90-11-059	173-306-200	NEW-P	90-02-088	173-336-010	REP-W	90-02-097
173-158-010	AMD-P	90-11-059	173-306-200	NEW	90-10-047	173-336-010	REP-P	90-02-098
173-158-020	AMD-P	90-11-059	173-306-300	NEW-P	90-02-088	173-336-010	REP	90-08-120
173-158-030	RE-AD	90-06-059	173-306-300	NEW	90-10-047	173-336-020	REP-W	90-02-097
173-158-030	AMD-P	90-11-059	173-306-310	NEW-P	90-02-088	173-336-020	REP-P	90-02-098
173-158-040	AMD-P	90-11-059	173-306-310	NEW	90-10-047	173-336-020	REP	90-08-120
173-158-045	NEW-P	90-11-059	173-306-320	NEW-P	90-02-088	173-336-030	REP-W	90-02-097
173-158-060	RE-AD	90-06-059	173-306-320	NEW	90-10-047	173-336-030	REP-P	90-02-098
173-158-060	REP-P	90-11-059	173-306-330	NEW-P	90-02-088	173-336-030	REP	90-08-120
173-158-064	NEW-P	90-11-059	173-306-330	NEW	90-10-047	173-338-010	REP-W	90-02-097
173-158-070	AMD-P	90-11-059	173-306-340	NEW-P	90-02-088	173-338-010	REP-P	90-02-098
173-158-084	NEW-P	90-11-059	173-306-340	NEW	90-10-047	173-338-010	REP	90-08-120
173-158-086	NEW-P	90-11-059	173-306-345	NEW-P	90-02-088	173-338-020	REP-W	90-02-097
173-158-100	REP-P	90-11-059	173-306-345	NEW	90-10-047	173-338-020	REP-P	90-02-098
173-158-110	REP-P	90-11-059	173-306-350	NEW-P	90-02-088	173-338-020	REP	90-08-120
173-158-120	AMD-P	90-11-059	173-306-350	NEW	90-10-047	173-338-030	REP-W	90-02-097
173-160-215	RE-AD	90-07-016	173-306-400	NEW-P	90-02-088	173-338-030	REP-P	90-02-098
173-166	AMD-P	90-02-096	173-306-400	NEW	90-10-047	173-338-030	REP	90-08-120
173-166	AMD-C	90-05-048	173-306-405	NEW-P	90-02-088	173-338-040	REP-W	90-02-097
173-166	AMD-C	90-06-010	173-306-405	NEW	90-10-047	173-338-040	REP-P	90-02-098
173-166	AMD-C	90-08-080	173-306-410	NEW-P	90-02-088	173-338-040	REP	90-08-120
173-166-010	AMD-P	90-02-096	173-306-410	NEW	90-10-047	173-338-050	REP-W	90-02-097
173-166-020	AMD-P	90-02-096	173-306-440	NEW-P	90-02-088	173-338-050	REP-P	90-02-098
173-166-030	AMD-P	90-02-096	173-306-440	NEW	90-10-047	173-338-050	REP	90-08-120
173-166-040	AMD-P	90-02-096	173-306-450	NEW-P	90-02-088	173-340	AMD-W	90-02-097
173-166-050	AMD-P	90-02-096	173-306-450	NEW	90-10-047	173-340	AMD-P	90-02-098
173-166-060	AMD-P	90-02-096	173-306-470	NEW-P	90-02-088	173-340	AMD	90-08-086
173-166-070	AMD-P	90-02-096	173-306-470	NEW	90-10-047	173-340-010	REP-W	90-02-097
173-166-080	NEW-P	90-02-096	173-306-480	NEW-P	90-02-088	173-340-010	REP-P	90-02-098
173-166-090	NEW-P	90-02-096	173-306-480	NEW	90-10-047	173-340-010	REP	90-08-086
173-166-100	NEW-P	90-02-096	173-306-490	NEW-P	90-02-088	173-340-020	REP-W	90-02-097
173-166-110	NEW-P	90-02-096	173-306-490	NEW	90-10-047	173-340-020	REP-P	90-02-098
173-166-120	NEW-P	90-02-096	173-306-495	NEW-P	90-02-088	173-340-020	REP	90-08-086
173-166-130	NEW-P	90-02-096	173-306-495	NEW	90-10-047	173-340-030	REP-W	90-02-097
173-200-010	NEW-P	90-11-074	173-306-500	NEW-P	90-02-088	173-340-030	REP-P	90-02-098
173-200-020	NEW-P	90-11-074	173-306-500	NEW	90-10-047	173-340-030	REP	90-08-086
173-200-030	NEW-P	90-11-074	173-306-900	NEW-P	90-02-088	173-340-040	REP-W	90-02-097
173-200-040	NEW-P	90-11-074	173-306-900	NEW	90-10-047	173-340-040	REP-P	90-02-098
173-200-050	NEW-P	90-11-074	173-306-9901	NEW-P	90-02-088	173-340-040	REP	90-08-086
173-200-060	NEW-P	90-11-074	173-306-9901	NEW	90-10-047	173-340-050	REP-W	90-02-097
173-200-070	NEW-P	90-11-074	173-309-010	AMD-P	90-11-122	173-340-050	REP-P	90-02-098
173-200-080	NEW-P	90-11-074	173-309-020	AMD-P	90-11-122	173-340-050	REP	90-08-086
173-200-090	NEW-P	90-11-074	173-309-030	AMD-P	90-11-122	173-340-100	NEW-W	90-02-097
173-200-100	NEW-P	90-11-074	173-309-040	AMD-P	90-11-122	173-340-100	NEW-P	90-02-098
173-216-125	NEW-P	90-12-086	173-309-050	AMD-P	90-11-122	173-340-100	NEW	90-08-086

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
173-340-110	NEW-W	90-02-097	173-340-610	NEW	90-08-086	173-403-100	REP-P	90-05-052
173-340-110	NEW-P	90-02-098	173-340-700	NEW-W	90-02-097	173-403-110	REP-P	90-05-052
173-340-110	NEW	90-08-086	173-340-700	NEW-P	90-02-098	173-403-120	REP-P	90-05-052
173-340-120	NEW-W	90-02-097	173-340-700	NEW	90-08-086	173-403-130	REP-P	90-05-052
173-340-120	NEW-P	90-02-098	173-340-800	NEW-W	90-02-097	173-403-141	REP-P	90-05-052
173-340-120	NEW	90-08-086	173-340-800	NEW-P	90-02-098	173-403-145	REP-P	90-05-052
173-340-130	NEW-W	90-02-097	173-340-800	NEW	90-08-086	173-403-150	REP-P	90-05-052
173-340-130	NEW-P	90-02-098	173-340-810	NEW-W	90-02-097	173-403-160	REP-P	90-05-052
173-340-130	NEW	90-08-086	173-340-810	NEW-P	90-02-098	173-403-170	REP-P	90-05-052
173-340-140	NEW-W	90-02-097	173-340-810	NEW	90-08-086	173-403-180	REP-P	90-05-052
173-340-140	NEW-P	90-02-098	173-340-820	NEW-W	90-02-097	173-403-190	REP-P	90-05-052
173-340-140	NEW	90-08-086	173-340-820	NEW-P	90-02-098	173-405-012	AMD-P	90-05-052
173-340-200	NEW-W	90-02-097	173-340-820	NEW	90-08-086	173-405-021	AMD-P	90-05-052
173-340-200	NEW-P	90-02-098	173-340-830	NEW-W	90-02-097	173-405-033	AMD-P	90-05-052
173-340-200	NEW	90-08-086	173-340-830	NEW-P	90-02-098	173-405-035	AMD-P	90-05-052
173-340-210	NEW-W	90-02-097	173-340-830	NEW	90-08-086	173-405-040	AMD-P	90-05-052
173-340-210	NEW-P	90-02-098	173-340-840	NEW-W	90-02-097	173-405-041	REP-P	90-05-052
173-340-210	NEW	90-08-086	173-340-840	NEW-P	90-02-098	173-405-045	AMD-P	90-05-052
173-340-300	NEW-W	90-02-097	173-340-840	NEW	90-08-086	173-405-061	AMD-P	90-05-052
173-340-300	NEW-P	90-02-098	173-340-850	NEW-W	90-02-097	173-405-072	AMD-P	90-05-052
173-340-300	NEW	90-08-086	173-340-850	NEW-P	90-02-098	173-405-077	AMD-P	90-05-052
173-340-310	NEW-W	90-02-097	173-340-850	NEW	90-08-086	173-405-078	AMD-P	90-05-052
173-340-310	NEW-P	90-02-098	173-340-860	NEW-W	90-02-097	173-405-086	AMD-P	90-05-052
173-340-310	NEW	90-08-086	173-340-860	NEW-P	90-02-098	173-405-087	AMD-P	90-05-052
173-340-320	NEW-W	90-02-097	173-340-860	NEW	90-08-086	173-405-091	AMD-P	90-05-052
173-340-320	NEW-P	90-02-098	173-340-870	NEW-W	90-02-097	173-410-012	AMD-P	90-05-052
173-340-320	NEW	90-08-086	173-340-870	NEW-P	90-02-098	173-410-021	AMD-P	90-05-052
173-340-330	NEW-W	90-02-097	173-340-870	NEW	90-08-086	173-410-035	AMD-P	90-05-052
173-340-330	NEW-P	90-02-098	173-340-880	NEW-W	90-02-097	173-410-040	AMD-P	90-05-052
173-340-330	NEW	90-08-086	173-340-880	NEW-P	90-02-098	173-410-042	REP-P	90-05-052
173-340-340	NEW-W	90-02-097	173-340-880	NEW	90-08-086	173-410-045	AMD-P	90-05-052
173-340-340	NEW-P	90-02-098	173-340-890	NEW-W	90-02-097	173-410-062	AMD-P	90-05-052
173-340-340	NEW	90-08-086	173-340-890	NEW-P	90-02-098	173-410-067	AMD-P	90-05-052
173-340-350	NEW-W	90-02-097	173-340-890	NEW	90-08-086	173-410-071	AMD-P	90-05-052
173-340-350	NEW-P	90-02-098	173-342-010	NEW	90-03-020	173-410-086	AMD-P	90-05-052
173-340-350	NEW	90-08-086	173-342-020	NEW	90-03-020	173-410-087	AMD-P	90-05-052
173-340-360	NEW-W	90-02-097	173-342-030	NEW	90-03-020	173-410-100	NEW-P	90-05-052
173-340-360	NEW-P	90-02-098	173-342-040	NEW	90-03-020	173-415-010	AMD-P	90-05-052
173-340-360	NEW	90-08-086	173-342-050	NEW	90-03-020	173-415-020	AMD-P	90-05-052
173-340-400	NEW-W	90-02-097	173-400-010	AMD-P	90-05-052	173-415-030	AMD-P	90-05-052
173-340-400	NEW-P	90-02-098	173-400-020	AMD-P	90-05-052	173-415-040	AMD-P	90-05-052
173-340-400	NEW	90-08-086	173-400-030	AMD-P	90-05-052	173-415-041	REP-P	90-05-052
173-340-410	NEW-W	90-02-097	173-400-040	AMD-P	90-05-052	173-415-045	AMD-P	90-05-052
173-340-410	NEW-P	90-02-098	173-400-050	AMD-P	90-05-052	173-415-050	AMD-P	90-05-052
173-340-410	NEW	90-08-086	173-400-060	AMD-P	90-05-052	173-415-051	AMD-P	90-05-052
173-340-420	NEW-W	90-02-097	173-400-070	AMD-P	90-05-052	173-415-060	AMD-P	90-05-052
173-340-420	NEW-P	90-02-098	173-400-075	AMD-P	90-05-052	173-415-070	AMD-P	90-05-052
173-340-420	NEW	90-08-086	173-400-100	AMD-P	90-05-052	173-415-080	AMD-P	90-05-052
173-340-430	NEW-W	90-02-097	173-400-105	AMD-P	90-05-052	173-422-020	AMD	90-06-062
173-340-430	NEW-P	90-02-098	173-400-110	AMD-P	90-05-052	173-422-035	NEW	90-06-062
173-340-430	NEW	90-08-086	173-400-115	AMD-P	90-05-052	173-422-040	AMD	90-06-062
173-340-500	NEW-W	90-02-097	173-400-120	AMD-P	90-05-052	173-422-060	AMD	90-06-062
173-340-500	NEW-P	90-02-098	173-400-131	NEW-P	90-05-052	173-422-070	AMD	90-06-062
173-340-500	NEW	90-08-086	173-400-136	NEW-P	90-05-052	173-422-090	AMD	90-06-062
173-340-510	NEW-W	90-02-097	173-400-141	NEW-P	90-05-052	173-422-100	AMD	90-06-062
173-340-510	NEW-P	90-02-098	173-400-151	NEW-P	90-05-052	173-422-130	AMD	90-06-062
173-340-510	NEW	90-08-086	173-400-161	NEW-P	90-05-052	173-422-140	AMD	90-06-062
173-340-520	NEW-W	90-02-097	173-400-171	NEW-P	90-05-052	173-422-145	AMD	90-06-062
173-340-520	NEW-P	90-02-098	173-400-180	NEW-P	90-05-052	173-422-160	AMD	90-06-062
173-340-520	NEW	90-08-086	173-400-190	NEW-P	90-05-052	173-422-170	AMD	90-06-062
173-340-530	NEW-W	90-02-097	173-400-200	NEW-P	90-05-052	173-422-190	NEW	90-06-062
173-340-530	NEW-P	90-02-098	173-400-205	NEW-P	90-05-052	173-422-195	NEW	90-06-062
173-340-530	NEW	90-08-086	173-400-210	NEW-P	90-05-052	173-425-010	AMD-P	90-06-102
173-340-540	NEW-W	90-02-097	173-400-220	NEW-P	90-05-052	173-425-020	AMD-P	90-06-102
173-340-540	NEW-P	90-02-098	173-400-230	NEW-P	90-05-052	173-425-030	AMD-P	90-06-102
173-340-540	NEW	90-08-086	173-400-240	NEW-P	90-05-052	173-425-036	AMD-P	90-06-102
173-340-550	NEW-W	90-02-097	173-400-250	NEW-P	90-05-052	173-425-055	AMD-P	90-06-102
173-340-550	NEW-P	90-02-098	173-400-260	NEW-P	90-05-052	173-425-065	AMD-P	90-06-102
173-340-550	NEW	90-08-086	173-403-010	REP-P	90-05-052	173-425-075	AMD-P	90-06-102
173-340-560	NEW-W	90-02-097	173-403-020	REP-P	90-05-052	173-425-085	AMD-P	90-06-102
173-340-560	NEW-P	90-02-098	173-403-030	REP-P	90-05-052	173-425-095	AMD-P	90-06-102
173-340-560	NEW	90-08-086	173-403-050	REP-P	90-05-052	173-425-100	AMD-P	90-06-102
173-340-600	NEW-W	90-02-097	173-403-060	REP-P	90-05-052	173-425-115	AMD-P	90-06-102
173-340-600	NEW-P	90-02-098	173-403-070	REP-P	90-05-052	173-425-120	AMD-P	90-06-102
173-340-600	NEW	90-08-086	173-403-075	REP-P	90-05-052	173-425-130	AMD-P	90-06-102
173-340-610	NEW-W	90-02-097	173-403-080	REP-P	90-05-052	173-425-140	AMD-P	90-06-102
173-340-610	NEW-P	90-02-098	173-403-090	REP-P	90-05-052	173-430-010	AMD-P	90-06-102

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173-430-020	AMD-P 90-06-102	174-108-250	REP 90-04-011	174-136-220	REP 90-04-011
173-430-030	AMD-P 90-06-102	174-108-260	REP 90-04-011	174-136-230	REP 90-04-011
173-430-040	AMD-P 90-06-102	174-108-900	REP 90-04-011	174-136-240	REP 90-04-011
173-430-050	AMD-P 90-06-102	174-108-90001	REP 90-04-011	174-136-250	REP 90-04-011
173-430-060	AMD-P 90-06-102	174-108-90002	REP 90-04-011	174-136-300	REP 90-04-011
173-430-070	AMD-P 90-06-102	174-108-910	NEW 90-04-011	174-136-310	REP 90-04-011
173-430-080	AMD-P 90-06-102	174-112-130	REP 90-04-011	174-136-320	REP 90-04-011
173-433-030	AMD-P 90-06-102	174-112-140	REP 90-04-011	174-136-330	REP 90-04-011
173-433-100	AMD-P 90-06-102	174-112-150	REP 90-04-011	174-157-600	REP 90-04-011
173-433-110	AMD-P 90-06-102	174-122-010	NEW 90-04-011	174-157-610	REP 90-04-011
173-433-120	AMD-P 90-06-102	174-122-020	NEW 90-04-011	174-157-620	REP 90-04-011
173-433-130	AMD-P 90-06-102	174-122-030	NEW 90-04-011	174-157-990	REP 90-04-011
173-433-150	AMD-P 90-06-102	174-122-040	NEW 90-04-011	174-160-010	REP 90-04-011
173-433-170	AMD-P 90-06-102	174-126-010	REP 90-04-011	174-160-020	REP 90-04-011
173-433-200	AMD-P 90-06-102	174-126-020	REP 90-04-011	174-160-030	REP 90-04-011
173-434-010	AMD-P 90-06-102	174-126-030	REP 90-04-011	174-160-040	REP 90-04-011
173-434-020	AMD-P 90-06-102	174-128-010	REP 90-04-011	174-162-010	REP 90-04-011
173-434-030	AMD-P 90-06-102	174-128-020	REP 90-04-011	174-162-015	REP 90-04-011
173-434-050	AMD-P 90-06-102	174-128-030	REP 90-04-011	174-162-020	REP 90-04-011
173-434-070	NEW-P 90-06-102	174-128-040	REP 90-04-011	174-162-025	REP 90-04-011
173-434-090	NEW-P 90-06-102	174-128-042	REP 90-04-011	174-162-030	REP 90-04-011
173-434-100	AMD-P 90-06-102	174-128-044	REP 90-04-011	174-162-035	REP 90-04-011
173-434-110	AMD-P 90-06-102	174-128-046	REP 90-04-011	174-162-040	REP 90-04-011
173-434-120	AMD-P 90-06-102	174-128-050	REP 90-04-011	174-162-045	REP 90-04-011
173-434-130	AMD-P 90-06-102	174-128-060	REP 90-04-011	174-162-050	REP 90-04-011
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173-434-190	AMD-P 90-06-102	174-128-066	REP 90-04-011	174-168-010	NEW-C 90-10-001
173-434-200	AMD-P 90-06-102	174-128-070	REP 90-04-011	174-168-020	NEW-W 90-03-037
173-434-210	AMD-P 90-06-102	174-128-080	REP 90-04-011	174-168-020	NEW-P 90-04-028
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173-440-030	AMD-P 90-06-102	174-128-090	REP 90-04-011	174-168-030	NEW-P 90-04-028
173-440-100	AMD-P 90-06-102	174-128-990	REP 90-04-011	174-168-030	NEW-C 90-10-001
173-490-010	AMD-P 90-05-052	174-130-010	NEW 90-04-011	174-168-040	NEW-P 90-04-028
173-490-020	AMD-P 90-05-052	174-130-020	NEW 90-04-011	174-168-040	NEW-C 90-10-001
173-490-025	AMD-P 90-05-052	174-131-010	NEW 90-04-011	174-168-050	NEW-P 90-04-028
173-490-030	AMD-P 90-05-052	174-132	AMD 90-04-011	174-168-050	NEW-C 90-10-001
173-490-040	AMD-P 90-05-052	174-132-010	AMD 90-04-011	174-168-060	NEW-P 90-04-028
173-490-070	REP-P 90-05-052	174-132-020	REP 90-04-011	174-168-060	NEW-C 90-10-001
173-490-071	REP-P 90-05-052	174-132-030	REP 90-04-011	174-168-070	NEW-P 90-04-028
173-490-080	AMD-P 90-05-052	174-132-040	REP 90-04-011	174-168-070	NEW-C 90-10-001
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173-490-120	REP-P 90-05-052	174-132-060	REP 90-04-011	174-168-080	NEW-C 90-10-001
173-490-130	REP-P 90-05-052	174-132-070	REP 90-04-011	174-276-010	NEW 90-04-011
173-490-135	REP-P 90-05-052	174-132-080	REP 90-04-011	174-276-020	NEW 90-04-011
173-490-140	REP-P 90-05-052	174-132-090	REP 90-04-011	174-276-030	NEW 90-04-011
173-490-150	REP-P 90-05-052	174-132-100	REP 90-04-011	174-276-040	NEW 90-04-011
173-490-200	AMD-P 90-05-052	174-132-110	REP 90-04-011	174-276-050	NEW 90-04-011
173-490-201	AMD-P 90-05-052	174-132-120	REP 90-04-011	174-276-060	NEW 90-04-011
173-490-202	AMD-P 90-05-052	174-133-010	NEW 90-04-011	174-276-070	NEW 90-04-011
173-490-203	AMD-P 90-05-052	174-133-020	NEW 90-04-011	174-276-080	NEW 90-04-011
173-490-204	AMD-P 90-05-052	174-135-010	NEW 90-04-011	174-276-090	NEW 90-04-011
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173-495-050	AMD-P 90-06-102	174-136-018	REP 90-04-011	174-280-035	NEW 90-04-011
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173-495-065	AMD-P 90-06-102	174-136-02001	REP 90-04-011	174-280-045	NEW 90-04-011
173-495-070	AMD-P 90-06-102	174-136-021	REP 90-04-011	174-280-050	NEW 90-05-031
173-495-080	AMD-P 90-06-102	174-136-022	REP 90-04-011	180-25-025	AMD 90-04-031
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174-108-180	REP 90-04-011	174-136-100	REP 90-04-011	180-75-005	AMD 90-02-073
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174-108-240	REP 90-04-011	174-136-170	REP 90-04-011	180-75-027	REP 90-02-073
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180-75-035	REP	90-02-073	180-85-109	NEW	90-12-076	192-28-145	NEW-P	90-11-121
180-75-037	REP	90-02-073	180-85-110	AMD-P	90-08-115	192-28-150	NEW-P	90-11-121
180-75-038	REP	90-02-073	180-85-110	AMD	90-12-076	196-08-030	REP	90-05-071
180-75-039	REP	90-02-073	180-85-115	AMD-P	90-08-115	196-24-090	AMD	90-05-071
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180-75-043	REP	90-02-073	180-85-202	REP	90-12-076	196-26-020	AMD-E	90-04-010
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180-75-061	AMD-P	90-08-112	180-86-003	NEW	90-02-076	204-30-020	NEW-P	90-10-076
180-75-061	AMD	90-12-121	180-86-005	NEW	90-02-076	204-30-030	NEW-P	90-10-076
180-75-065	AMD-P	90-08-112	180-86-010	NEW	90-02-076	204-30-040	NEW-P	90-10-076
180-75-081	AMD	90-02-073	180-86-012	NEW	90-02-076	204-30-050	NEW-P	90-10-076
180-75-084	REP	90-02-073	180-86-015	NEW	90-02-076	204-30-060	NEW-P	90-10-076
180-75-086	REP	90-02-073	180-86-020	NEW	90-02-076	204-30-070	NEW-P	90-10-076
180-75-090	AMD-P	90-08-112	180-86-030	NEW	90-02-076	204-30-080	NEW-P	90-10-076
180-75-090	AMD	90-12-121	180-86-035	NEW	90-02-076	204-36-030	AMD-P	90-04-023
180-75-199	REP	90-02-073	180-86-040	NEW	90-02-076	204-36-030	AMD	90-07-034
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180-78-057	AMD	90-12-073	180-86-055	NEW	90-02-076	204-36-040	AMD	90-07-034
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180-78-191	AMD	90-02-104	180-86-070	NEW	90-02-076	204-36-050	AMD	90-07-034
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180-78-192	REP	90-02-104	180-86-085	NEW	90-02-076	204-36-060	AMD	90-07-034
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180-78-193	REP	90-02-104	180-86-095	NEW	90-02-076	204-44-030	AMD	90-06-055
180-78-194	REP	90-02-074	180-86-097	NEW	90-02-076	204-48-020	AMD-P	90-08-023
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180-78-197	REP	90-02-074	180-86-115	NEW	90-02-076	204-990	REP	90-11-022
180-78-197	REP	90-02-104	180-86-120	NEW	90-02-076	212-17-300	AMD-P	90-04-097
180-78-198	REP	90-02-074	180-86-130	NEW	90-02-076	212-17-300	AMD	90-10-006
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180-78-199	REP	90-02-074	180-86-140	NEW	90-02-076	212-17-305	AMD	90-10-006
180-78-199	REP	90-02-104	180-86-145	NEW	90-02-076	212-17-310	AMD-P	90-04-097
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180-79-049	AMD-P	90-08-114	180-86-160	NEW	90-02-076	212-17-315	AMD	90-10-006
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180-79-075	AMD-P	90-08-114	180-86-200	NEW	90-02-076	212-17-330	AMD	90-10-006
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180-79-245	AMD-P	90-08-114	180-87-030	NEW	90-02-075	220-16-430	NEW	90-07-003
180-79-245	AMD	90-12-075	180-87-035	NEW	90-02-075	220-16-440	NEW-P	90-02-112
180-79-362	AMD-P	90-08-114	180-87-040	NEW	90-02-075	220-16-440	NEW	90-06-026
180-79-362	AMD	90-12-075	180-87-045	NEW	90-02-075	220-16-450	NEW-P	90-02-112
180-79-364	AMD-P	90-08-114	180-87-050	NEW	90-02-075	220-16-450	NEW	90-06-026
180-79-364	AMD	90-12-075	180-87-055	NEW	90-02-075	220-20	AMD-C	90-06-043
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180-85-080	REP-P	90-08-115	180-87-070	NEW	90-02-075	220-20-020	AMD-P	90-02-111
180-85-080	REP	90-12-076	180-87-080	NEW	90-02-075	220-20-020	AMD	90-06-045
180-85-083	REP-P	90-08-115	180-87-085	NEW	90-02-075	220-20-020	AMD-C	90-07-002
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220-47-411	AMD-P	90-09-093	220-56-350	AMD	90-06-026	230-02-022	AMD	90-10-007
220-47-412	AMD-P	90-09-093	220-56-35000I	NEW-E	90-06-058	230-02-030	AMD-P	90-11-057
220-47-413	REP-P	90-09-093	220-56-36000T	NEW-E	90-07-039	230-04-020	AMD	90-03-064
220-47-414	REP-P	90-09-093	220-56-36000T	REP-E	90-10-011	230-04-190	AMD	90-03-064
220-47-500	NEW-P	90-09-093	220-56-36000U	NEW-E	90-10-011	230-04-270	AMD	90-03-064
220-48-01500D	NEW-E	90-06-001	220-56-380	AMD-P	90-02-112	230-08-120	AMD-P	90-05-034
220-49-02000C	NEW-E	90-10-032	220-56-380	AMD	90-06-026	230-08-120	AMD	90-10-007
220-49-063	NEW-C	90-07-002	220-56-38000F	NEW-E	90-03-007	230-08-125	AMD-P	90-05-034
220-49-063	NEW	90-07-003	220-56-38000F	REP-E	90-03-027	230-08-125	AMD	90-10-007
220-49-064	NEW-C	90-07-002	220-56-38000G	NEW-E	90-03-027	230-08-260	AMD-P	90-10-008
220-49-064	NEW	90-07-003	220-56-38000G	REP-E	90-04-041	230-20-064	AMD-P	90-05-034
220-52-03000F	NEW-E	90-11-012	220-56-38000H	NEW	90-04-041	230-20-064	AMD	90-10-007
220-52-05100D	NEW-E	90-10-035	220-56-400	AMD-P	90-02-112	230-20-325	AMD	90-05-032
220-52-05100E	NEW-E	90-11-030	220-56-400	AMD	90-06-026	230-20-325	AMD-W	90-10-098
220-52-07100E	NEW-E	90-10-051	220-57	AMD-C	90-06-025	230-20-698	NEW	90-05-033
220-52-07100E	REP-E	90-11-060	220-57	AMD-C	90-06-042	230-30-052	NEW-P	90-05-034
220-52-07100F	NEW-E	90-11-060	220-57-140	AMD-P	90-02-112	230-30-052	NEW	90-10-007
220-52-07300H	NEW-E	90-03-067	220-57-140	AMD	90-06-026	230-30-070	AMD	90-05-032
220-55-010	AMD-P	90-08-008	220-57-160	AMD-P	90-02-112	230-30-070	AMD-E	90-06-020
220-55-01000A	NEW-E	90-07-040	220-57-160	AMD	90-06-026	230-30-070	AMD-P	90-06-021
220-55-01000A	REP-E	90-08-034	220-57-16000D	NEW-E	90-08-032	230-30-070	AMD	90-11-058
220-55-01000B	NEW-E	90-08-034	220-57-220	AMD-P	90-02-112	230-40-010	AMD	90-05-032
220-55-015	AMD-P	90-08-008	220-57-220	AMD	90-06-026	230-40-120	AMD	90-05-032
220-55-086	AMD	90-03-068	220-57-242	NEW-P	90-02-112	230-40-125	NEW	90-05-032
220-55-150	NEW	90-03-068	220-57-260	AMD-P	90-02-112	230-40-125	AMD-E	90-07-019
220-56	AMD-C	90-06-025	220-57-260	AMD	90-06-026	230-40-125	AMD-P	90-07-022
220-56-105	AMD-P	90-02-112	220-57-270	AMD-P	90-02-112	230-40-125	AMD	90-11-058
220-56-105	AMD	90-06-026	220-57-270	AMD	90-06-026	230-46-025	NEW-P	90-10-008
220-56-115	AMD-P	90-02-112	220-57-290	AMD-P	90-02-112	230-50-012	AMD-P	90-03-060
220-56-115	AMD	90-06-026	220-57-290	AMD	90-06-026	230-50-012	AMD-E	90-03-061
220-56-125	AMD-P	90-02-112	220-57-315	AMD-P	90-02-112	230-50-012	AMD	90-07-018
220-56-125	AMD	90-06-026	220-57-31500S	NEW-E	90-07-032	230-50-560	AMD-E	90-09-073
220-56-126	AMD-P	90-02-112	220-57-31500S	REP-E	90-12-082	230-50-560	AMD-P	90-10-008
220-56-126	AMD	90-06-026	220-57-31500T	NEW-E	90-12-082	230-50-580	AMD-E	90-09-073
220-56-127	AMD-P	90-02-112	220-57-328	NEW-P	90-02-112	230-50-580	AMD-P	90-10-008
220-56-127	AMD	90-06-026	220-57-42500T	NEW-E	90-12-064	230-60-010	AMD	90-03-064
220-56-128	AMD-P	90-02-112	220-57-465	AMD-P	90-02-112	230-60-020	REP	90-03-064
220-56-128	AMD	90-06-026	220-57-465	AMD	90-06-026	230-60-025	AMD	90-03-064
220-56-156	AMD-C	90-06-081	220-57-497	NEW-P	90-02-112	230-60-100	NEW	90-05-032
220-56-156	AMD	90-08-001	220-57-497	NEW	90-06-044	232-12-011	AMD-P	90-04-098
220-56-160	AMD-P	90-02-112	220-57-505	AMD-P	90-02-112	232-12-011	AMD	90-11-065
220-56-160	AMD	90-06-026	220-57-505	AMD	90-06-026	232-12-017	AMD-P	90-06-084
220-56-165	AMD-P	90-02-112	220-57-50500R	NEW-E	90-07-032	232-12-017	AMD	90-10-067

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WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
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232-12-019	AMD	90-10-068	248-08-170	REP	90-06-018	248-08-790	REP	90-06-018
232-12-047	AMD-P	90-06-091	248-08-180	REP	90-06-018	248-08-800	REP	90-06-018
232-12-051	AMD-P	90-06-092	248-08-190	REP	90-06-018	248-08-805	REP	90-06-018
232-12-054	AMD	90-03-092	248-08-200	REP	90-06-018	248-08-810	REP	90-06-018
232-12-177	AMD-P	90-06-089	248-08-210	REP	90-06-018	248-08-815	REP	90-06-018
232-12-177	AMD	90-11-050	248-08-220	REP	90-06-018	248-08-820	REP	90-06-018
232-12-184	RE-AD-P	90-06-090	248-08-230	REP	90-06-018	248-08-825	REP	90-06-018
232-12-184	RE-AD	90-11-049	248-08-240	REP	90-06-018	248-08-830	REP	90-06-018
232-12-187	RE-AD-P	90-06-090	248-08-250	REP	90-06-018	248-08-835	REP	90-06-018
232-12-187	RE-AD	90-11-049	248-08-260	REP	90-06-018	248-08-840	REP	90-06-018
232-12-191	AMD-P	90-06-088	248-08-270	REP	90-06-018	248-08-845	REP	90-06-018
232-12-191	AMD	90-11-051	248-08-280	REP	90-06-018	248-14-070	AMD-C	90-04-015
232-12-227	AMD-P	90-12-099	248-08-290	REP	90-06-018	248-14-070	AMD	90-04-071
232-12-251	RE-AD-P	90-06-090	248-08-300	REP	90-06-018	248-15-110	AMD	90-06-019
232-12-251	RE-AD	90-11-049	248-08-310	REP	90-06-018	248-16-031	AMD	90-06-019
232-12-254	RE-AD-P	90-06-090	248-08-320	REP	90-06-018	248-17-060	AMD	90-06-019
232-12-254	RE-AD	90-11-049	248-08-330	REP	90-06-018	248-17-230	AMD	90-06-019
232-12-297	NEW-P	90-04-099	248-08-340	REP	90-06-018	248-18-010	AMD-P	90-08-099
232-12-297	NEW	90-11-066	248-08-350	REP	90-06-018	248-18-010	AMD	90-12-014
232-12-827	REP-P	90-12-100	248-08-360	REP	90-06-018	248-18-015	AMD	90-06-019
232-12-831	NEW-P	90-12-100	248-08-370	REP	90-06-018	248-18-018	AMD-P	90-08-099
232-28-022	NEW-P	90-04-100	248-08-380	REP	90-06-018	248-18-018	AMD	90-12-014
232-28-218	REP-P	90-04-100	248-08-390	REP	90-06-018	248-18-020	AMD-P	90-08-099
232-28-219	NEW-P	90-06-093	248-08-400	REP	90-06-018	248-18-020	AMD	90-12-014
232-28-220	NEW-P	90-06-094	248-08-410	AMD	90-06-018	248-18-221	AMD-P	90-08-099
232-28-221	NEW-P	90-06-095	248-08-413	NEW	90-06-018	248-18-221	AMD	90-12-014
232-28-222	NEW-P	90-06-096	248-08-420	REP	90-06-018	248-18-245	AMD-P	90-08-099
232-28-223	NEW-P	90-06-097	248-08-425	NEW	90-06-018	248-18-245	AMD	90-12-014
232-28-414	NEW-P	90-12-101	248-08-428	NEW	90-06-018	248-18-510	AMD-P	90-08-099
232-28-61728	NEW	90-02-070	248-08-430	REP	90-06-018	248-18-510	AMD	90-12-014
232-28-61729	NEW	90-02-071	248-08-431	NEW	90-06-018	248-18-520	AMD-P	90-08-099
232-28-61730	NEW-E	90-03-072	248-08-434	NEW	90-06-018	248-18-520	AMD	90-12-014
232-28-61731	NEW-E	90-08-066	248-08-437	NEW	90-06-018	248-18-525	AMD-P	90-08-099
232-28-61802	NEW-E	90-02-067	248-08-440	AMD	90-06-018	248-18-525	AMD	90-12-014
232-28-61802	NEW-P	90-04-101	248-08-446	NEW	90-06-018	248-18-530	AMD-P	90-08-099
232-28-61802	NEW	90-08-064	248-08-449	NEW	90-06-018	248-18-530	AMD	90-12-014
232-28-61803	NEW-E	90-02-068	248-08-450	REP	90-06-018	248-18-534	AMD-P	90-08-099
232-28-61803	NEW-P	90-04-102	248-08-452	NEW	90-06-018	248-18-534	AMD	90-12-014
232-28-61803	NEW	90-08-065	248-08-460	REP	90-06-018	248-18-555	AMD-P	90-08-099
232-28-61804	NEW-E	90-02-069	248-08-461	NEW	90-06-018	248-18-555	AMD	90-12-014
232-28-61804	NEW-P	90-04-103	248-08-464	NEW	90-06-018	248-18-560	AMD-P	90-08-099
232-28-61804	NEW	90-08-067	248-08-470	AMD	90-06-018	248-18-560	AMD	90-12-014
232-28-61805	NEW-E	90-02-066	248-08-480	REP	90-06-018	248-18-565	AMD-P	90-08-099
232-28-61805	NEW-P	90-04-104	248-08-490	REP	90-06-018	248-18-565	AMD	90-12-014
232-28-61805	NEW	90-08-063	248-08-500	REP	90-06-018	248-18-568	AMD-P	90-08-099
232-28-61806	NEW-P	90-06-086	248-08-510	REP	90-06-018	248-18-568	AMD	90-12-014
232-28-61806	NEW-E	90-09-052	248-08-515	NEW	90-06-018	248-18-640	AMD-P	90-08-099
232-28-61807	NEW-P	90-06-087	248-08-520	REP	90-06-018	248-18-640	AMD	90-12-014
232-28-61807	NEW	90-10-069	248-08-525	NEW	90-06-018	248-18-645	AMD-P	90-08-099
232-28-712	REP	90-03-083	248-08-530	REP	90-06-018	248-18-645	AMD	90-12-014
232-28-713	NEW	90-03-083	248-08-535	NEW	90-06-018	248-18-650	AMD-P	90-08-099
232-28-811	REP-P	90-04-105	248-08-540	REP	90-06-018	248-18-650	AMD	90-12-014
232-28-811	REP	90-11-064	248-08-545	NEW	90-06-018	248-18-660	AMD-P	90-08-099
232-28-812	NEW-P	90-04-105	248-08-550	REP	90-06-018	248-18-660	AMD	90-12-014
232-28-812	NEW	90-11-064	248-08-560	REP	90-06-018	248-18-665	AMD-P	90-08-099
236-48-198	AMD-P	90-11-011	248-08-565	NEW	90-06-018	248-18-665	AMD	90-12-014
246-09-060	NEW-P	90-04-030	248-08-570	REP	90-06-018	248-18-675	AMD-P	90-08-099
246-09-060	NEW	90-08-003	248-08-575	NEW	90-06-018	248-18-675	AMD	90-12-014
248-06-385	AMD	90-06-019	248-08-580	REP	90-06-018	248-18-680	AMD-P	90-08-099
248-08-001	REP	90-06-018	248-08-590	REP	90-06-018	248-18-680	AMD	90-12-014
248-08-010	REP	90-06-018	248-08-700	REP	90-06-018	248-18-685	AMD-P	90-08-099
248-08-020	REP	90-06-018	248-08-705	REP	90-06-018	248-18-685	AMD	90-12-014
248-08-030	REP	90-06-018	248-08-710	REP	90-06-018	248-18-690	AMD-P	90-08-099
248-08-040	REP	90-06-018	248-08-715	REP	90-06-018	248-18-690	AMD	90-12-014
248-08-050	REP	90-06-018	248-08-720	REP	90-06-018	248-18-695	AMD-P	90-08-099
248-08-060	REP	90-06-018	248-08-725	REP	90-06-018	248-18-695	AMD	90-12-014
248-08-070	REP	90-06-018	248-08-730	REP	90-06-018	248-18-705	AMD-P	90-08-099
248-08-075	REP	90-06-018	248-08-735	REP	90-06-018	248-18-705	AMD	90-12-014
248-08-080	REP	90-06-018	248-08-740	REP	90-06-018	248-18-719	AMD-P	90-08-099
248-08-090	REP	90-06-018	248-08-750	REP	90-06-018	248-18-719	AMD	90-12-014
248-08-100	REP	90-06-018	248-08-755	REP	90-06-018	248-18-99902	AMD-P	90-08-099
248-08-110	REP	90-06-018	248-08-760	REP	90-06-018	248-18-99902	AMD	90-12-014
248-08-120	REP	90-06-018	248-08-765	REP	90-06-018	248-19-220	AMD	90-02-093
248-08-130	REP	90-06-018	248-08-770	REP	90-06-018	248-19-373	REP-P	90-08-105
248-08-140	REP	90-06-018	248-08-775	REP	90-06-018	248-19-373	REP	90-12-072
248-08-150	REP	90-06-018	248-08-780	REP	90-06-018	248-19-375	REP-P	90-08-105

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248-19-375	REP	90-12-072	248-98-015	NEW-P	90-02-072	248-170-320	NEW	90-04-082
248-19-403	REP-P	90-08-105	248-98-015	NEW	90-07-010	248-180-010	NEW	90-03-052
248-19-403	REP	90-12-072	248-98-020	AMD-P	90-02-072	248-180-020	NEW	90-03-052
248-19-480	AMD	90-06-019	248-98-020	AMD	90-07-010	248-320-340	NEW	90-06-018
248-19-600	NEW-P	90-10-022	248-98-025	NEW-P	90-02-072	248-320-350	NEW	90-06-018
248-19-601	NEW-P	90-12-096	248-98-025	NEW	90-07-010	248-320-360	NEW	90-06-018
248-19-700	NEW-P	90-12-096	248-98-030	AMD-P	90-02-072	248-320-370	NEW	90-06-018
248-19-701	NEW-P	90-12-096	248-98-030	AMD	90-07-010	248-320-400	NEW	90-06-018
248-19-800	NEW-P	90-08-102	248-98-035	NEW-P	90-02-072	248-320-410	NEW	90-06-018
248-19-800	NEW	90-12-071	248-98-035	NEW	90-07-010	248-320-500	NEW	90-06-018
248-19-805	NEW-P	90-08-102	248-98-040	AMD-P	90-02-072	248-554-030	AMD-C	90-04-016
248-19-805	NEW	90-12-071	248-98-040	AMD	90-07-010	248-554-030	AMD	90-04-072
248-19-806	NEW-P	90-08-102	248-98-045	NEW-P	90-02-072	250-20-001	AMD	90-04-067
248-19-806	NEW	90-12-071	248-98-045	NEW	90-07-010	250-20-011	AMD	90-04-067
248-19-810	NEW-P	90-08-105	248-98-050	AMD-P	90-02-072	250-20-015	AMD	90-04-067
248-19-810	NEW	90-12-072	248-98-050	AMD	90-07-010	250-20-021	AMD	90-04-067
248-19-811	NEW-P	90-08-105	248-98-060	AMD-P	90-02-072	250-20-031	AMD	90-04-067
248-19-811	NEW	90-12-072	248-98-060	AMD	90-07-010	250-20-037	NEW	90-04-067
248-19-820	NEW-P	90-08-105	248-98-080	AMD-P	90-02-072	250-20-041	AMD	90-04-067
248-19-840	NEW-P	90-08-105	248-98-080	AMD	90-07-010	250-20-051	AMD	90-04-067
248-19-840	NEW	90-12-072	248-98-085	NEW-P	90-02-072	250-20-071	AMD	90-04-067
248-19-860	NEW-P	90-08-105	248-98-085	NEW	90-07-010	250-69-010	NEW-P	90-04-068
248-19-860	NEW	90-12-072	248-98-090	AMD-P	90-02-072	250-69-010	NEW	90-09-003
248-19-880	NEW-P	90-08-103	248-98-090	AMD	90-07-010	250-69-020	NEW-P	90-04-068
248-19-880	NEW-W	90-10-083	248-98-095	NEW-P	90-02-072	250-69-020	NEW	90-09-003
248-19-882	NEW-P	90-08-103	248-98-095	NEW	90-07-010	250-69-030	NEW-P	90-04-068
248-19-882	NEW-W	90-10-083	248-98-098	NEW-P	90-02-072	250-69-030	NEW	90-09-003
248-19-884	NEW-P	90-08-103	248-98-098	NEW	90-07-010	250-69-040	NEW-P	90-04-068
248-19-884	NEW-W	90-10-083	248-98-100	AMD-P	90-02-072	250-69-040	NEW	90-09-003
248-19-886	NEW-P	90-08-103	248-98-100	AMD	90-07-010	250-69-050	NEW-P	90-04-068
248-19-886	NEW-W	90-10-083	248-98-102	NEW-P	90-02-072	250-69-050	NEW	90-09-003
248-21-005	AMD	90-05-038	248-98-102	NEW	90-07-010	250-69-060	NEW-P	90-04-068
248-22-005	AMD	90-06-019	248-98-104	NEW-P	90-02-072	250-69-060	NEW	90-09-003
248-23-010	AMD	90-06-019	248-98-104	NEW	90-07-010	250-69-070	NEW-P	90-04-068
248-25-010	AMD	90-06-019	248-98-110	AMD-P	90-02-072	250-69-070	NEW	90-09-003
248-26-020	AMD	90-06-019	248-98-110	AMD	90-07-010	250-69-080	NEW-P	90-04-068
248-27-025	AMD	90-06-019	248-98-120	AMD-P	90-02-072	250-69-080	NEW	90-09-003
248-27-035	AMD	90-06-019	248-98-120	AMD	90-07-010	250-69-090	NEW-P	90-04-068
248-27-045	AMD	90-06-019	248-98-130	NEW-P	90-02-072	250-69-090	NEW	90-09-003
248-27-055	AMD	90-06-019	248-98-130	NEW	90-07-010	250-69-090	NEW-P	90-04-068
248-29-020	AMD	90-06-019	248-98-135	NEW-P	90-02-072	250-69-100	NEW-P	90-09-003
248-31-025	AMD	90-06-019	248-98-135	NEW	90-07-010	250-69-100	NEW	90-09-003
248-31-035	AMD	90-06-019	248-98-998	NEW-P	90-02-072	250-69-110	NEW-P	90-04-068
248-31-045	AMD	90-06-019	248-98-998	NEW	90-07-010	250-69-110	NEW	90-09-003
248-31-055	AMD	90-06-019	248-98-999	REP-P	90-02-072	250-70-010	NEW-P	90-11-130
248-33-040	AMD	90-05-038	248-98-999	REP	90-07-010	250-70-020	NEW-P	90-11-130
248-33-060	REP	90-05-038	248-100-016	AMD-P	90-02-095	250-70-030	NEW-P	90-11-130
248-33-080	REP	90-05-038	248-100-016	AMD	90-07-033	250-70-040	NEW-P	90-11-130
248-36-025	AMD	90-06-019	248-100-021	AMD-P	90-06-063	250-70-050	NEW-P	90-11-130
248-36-035	AMD	90-06-019	248-100-021	AMD	90-10-036	250-70-060	NEW-P	90-11-130
248-36-045	AMD	90-06-019	248-100-086	AMD-P	90-06-063	250-70-070	NEW-P	90-11-130
248-36-055	AMD	90-06-019	248-100-086	AMD	90-10-036	250-70-080	NEW-P	90-11-130
248-55-220	AMD	90-06-019	248-100-217	NEW-P	90-06-063	250-70-090	NEW-P	90-11-130
248-55-230	REP	90-06-019	248-100-217	NEW	90-10-036	250-70-100	NEW-P	90-11-130
248-55-235	NEW	90-06-019	248-101-020	AMD-E	90-11-038	250-71-010	NEW-E	90-10-002
248-55-240	AMD	90-06-019	248-101-220	NEW-E	90-11-038	250-71-010	NEW-P	90-11-038
248-55-250	REP	90-06-019	248-106-001	NEW	90-02-094	250-71-015	NEW-E	90-10-002
248-55-260	REP	90-06-019	248-106-010	NEW	90-02-094	250-71-015	NEW-P	90-11-108
248-58-085	NEW	90-06-049	248-106-020	NEW	90-02-094	250-71-020	NEW-E	90-10-002
248-59-030	AMD	90-06-019	248-106-030	NEW-P	90-08-104	250-71-020	NEW-P	90-11-108
248-59-040	REP	90-06-019	248-140-200	AMD	90-05-038	250-71-025	NEW-E	90-10-002
248-59-050	REP	90-06-019	248-144-031	AMD	90-06-049	250-71-025	NEW-P	90-11-108
248-59-060	REP	90-06-019	248-168-010	AMD-P	90-11-063	250-71-030	NEW-E	90-10-002
248-59-070	REP	90-06-019	248-168-015	NEW-P	90-11-063	250-71-030	NEW-P	90-11-108
248-59-080	REP	90-06-019	248-168-020	AMD-P	90-11-063	250-71-035	NEW-E	90-10-002
248-63-025	AMD	90-06-049	248-168-030	AMD-P	90-11-063	250-71-035	NEW-P	90-11-108
248-91-060	AMD	90-06-019	248-168-030	AMD-P	90-11-063	250-71-040	NEW-E	90-10-002
248-97-130	AMD	90-06-049	248-168-040	AMD-P	90-11-063	250-71-040	NEW-P	90-11-108
248-97-135	NEW	90-06-049	248-168-050	AMD-P	90-11-063	250-71-045	NEW-E	90-10-002
248-98-001	AMD-P	90-02-072	248-168-060	AMD-P	90-11-063	250-71-045	NEW-P	90-11-108
248-98-001	AMD	90-07-010	248-168-070	NEW-P	90-11-063	250-71-050	NEW-E	90-10-002
248-98-003	NEW-P	90-02-072	248-170-001	NEW	90-04-082	250-71-050	NEW-P	90-11-108
248-98-003	NEW	90-07-010	248-170-020	NEW	90-04-082	250-71-055	NEW-E	90-10-002
248-98-005	NEW-P	90-02-072	248-170-100	NEW	90-04-082	250-71-055	NEW-P	90-11-108
248-98-005	NEW	90-07-010	248-170-130	NEW	90-04-082	250-71-060	NEW-E	90-10-002
248-98-005	NEW	90-07-010	248-170-160	NEW	90-04-082	250-71-060	NEW-P	90-11-108
248-98-010	AMD-P	90-02-072	248-170-200	NEW	90-04-082	250-71-065	NEW-E	90-10-002
248-98-010	AMD	90-07-010	248-170-300	NEW	90-04-082	250-71-065	NEW-P	90-11-108

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250-71-070	NEW-E	90-10-002	275-56-089	NEW	90-03-113	275-56-475	NEW	90-03-113
250-71-070	NEW-P	90-11-108	275-56-090	AMD	90-03-113	275-56-485	NEW	90-03-113
250-71-075	NEW-E	90-10-002	275-56-095	AMD	90-03-113	275-56-495	NEW	90-03-113
250-71-075	NEW-P	90-11-108	275-56-095	AMD-C	90-04-019	275-56-505	NEW	90-03-113
250-72-010	NEW-P	90-12-093	275-56-095	AMD-W	90-04-069	275-56-515	NEW	90-03-113
250-72-015	NEW-P	90-12-093	275-56-100	AMD	90-03-113	284-12-010	REP	90-04-060
250-72-020	NEW-P	90-12-093	275-56-105	AMD	90-03-113	284-12-030	REP	90-04-060
250-72-025	NEW-P	90-12-093	275-56-110	AMD	90-03-113	284-12-040	REP	90-04-060
250-72-030	NEW-P	90-12-093	275-56-115	AMD	90-03-113	284-12-080	AMD	90-04-042
250-72-035	NEW-P	90-12-093	275-56-120	REP	90-03-113	284-17-121	NEW	90-04-060
250-72-040	NEW-P	90-12-093	275-56-125	REP	90-03-113	284-17-122	NEW	90-04-060
250-72-045	NEW-P	90-12-093	275-56-130	REP	90-03-113	284-17-123	NEW	90-04-060
250-73-010	NEW-P	90-12-092	275-56-135	AMD	90-03-113	284-24-015	AMD-P	90-10-056
250-73-015	NEW-P	90-12-092	275-56-140	REP	90-03-113	284-24-055	NEW-P	90-10-056
250-73-020	NEW-P	90-12-092	275-56-145	REP	90-03-113	284-24-060	AMD-P	90-10-056
250-73-025	NEW-P	90-12-092	275-56-150	AMD	90-03-113	284-24-100	AMD-P	90-10-056
250-73-030	NEW-P	90-12-092	275-56-155	REP	90-03-113	284-49-010	NEW-E	90-12-095
250-73-035	NEW-P	90-12-092	275-56-160	REP	90-03-113	284-49-020	NEW-E	90-12-095
250-73-040	NEW-P	90-12-092	275-56-165	REP	90-03-113	284-49-050	NEW-E	90-12-095
250-73-045	NEW-P	90-12-092	275-56-170	AMD	90-03-113	284-49-100	NEW-E	90-12-095
251-01-180	AMD-P	90-09-075	275-56-175	AMD	90-03-113	284-49-115	NEW-E	90-12-095
251-04-040	AMD	90-06-023	275-56-180	AMD	90-03-113	284-49-300	NEW-E	90-12-095
251-09-085	NEW-W	90-06-082	275-56-185	AMD	90-03-113	284-49-330	NEW-E	90-12-095
251-09-090	AMD-C	90-06-083	275-56-190	REP	90-03-113	284-49-500	NEW-E	90-12-095
251-09-090	AMD	90-10-044	275-56-195	AMD	90-03-113	284-49-510	NEW-E	90-12-095
251-09-092	NEW-C	90-06-083	275-56-200	AMD	90-03-113	284-49-520	NEW-E	90-12-095
251-09-092	NEW	90-10-044	275-56-205	AMD	90-03-113	284-49-900	NEW-E	90-12-095
251-09-094	NEW-C	90-06-083	275-56-210	AMD	90-03-113	284-49-999	NEW-E	90-12-095
251-09-094	NEW	90-10-044	275-56-215	AMD	90-03-113	284-55-010	REP-P	90-04-089
251-12-073	AMD-P	90-09-076	275-56-220	AMD	90-03-113	284-55-020	REP-P	90-04-089
251-12-085	AMD-P	90-09-074	275-56-225	AMD	90-03-113	284-55-030	REP-P	90-04-089
251-12-099	NEW-P	90-09-074	275-56-230	AMD	90-03-113	284-55-035	REP-P	90-04-089
251-22-165	AMD-P	90-09-075	275-56-235	AMD	90-03-113	284-55-040	REP-P	90-04-089
260-36-190	NEW-E	90-09-010	275-56-240	AMD	90-03-113	284-55-045	REP-P	90-04-089
260-36-200	NEW-E	90-09-010	275-56-245	AMD	90-03-113	284-55-050	REP-P	90-04-089
275-16-055	AMD-C	90-04-019	275-56-250	REP	90-03-113	284-55-060	REP-P	90-04-089
275-16-055	AMD	90-04-075	275-56-255	REP	90-03-113	284-55-065	REP-P	90-04-089
275-19-050	AMD-C	90-04-017	275-56-260	AMD	90-03-113	284-55-067	REP-P	90-04-089
275-19-050	AMD	90-04-073	275-56-265	REP	90-03-113	284-55-070	REP-P	90-04-089
275-20-080	AMD-C	90-04-018	275-56-270	REP	90-03-113	284-55-080	REP-P	90-04-089
275-20-080	AMD	90-04-074	275-56-275	AMD	90-03-113	284-55-090	REP-P	90-04-089
275-26-022	AMD-C	90-04-018	275-56-280	REP	90-03-113	284-55-095	REP-P	90-04-089
275-26-022	AMD	90-04-074	275-56-285	AMD	90-03-113	284-55-115	REP-P	90-04-089
275-27-500	AMD-C	90-04-018	275-56-290	AMD	90-03-113	284-55-120	REP-P	90-04-089
275-27-500	AMD	90-04-074	275-56-295	AMD	90-03-113	284-55-125	REP-P	90-04-089
275-36-310	AMD-C	90-04-018	275-56-300	AMD	90-03-113	284-55-150	REP-P	90-04-089
275-36-310	AMD	90-04-074	275-56-305	AMD	90-03-113	284-55-155	REP-P	90-04-089
275-38-770	AMD-E	90-11-005	275-56-310	REP	90-03-113	284-55-160	REP-P	90-04-089
275-38-770	AMD-P	90-11-007	275-56-315	REP	90-03-113	284-55-165	REP-P	90-04-089
275-38-860	AMD-E	90-11-005	275-56-320	REP	90-03-113	284-55-172	REP-P	90-04-089
275-38-860	AMD-P	90-11-007	275-56-325	REP	90-03-113	284-55-177	REP-P	90-04-089
275-38-906	AMD-E	90-11-005	275-56-330	REP	90-03-113	284-55-180	REP-P	90-04-089
275-38-906	AMD-P	90-11-007	275-56-335	AMD	90-03-113	284-55-185	REP-P	90-04-089
275-38-960	AMD-C	90-04-018	275-56-340	AMD	90-03-113	284-55-190	REP-P	90-04-089
275-38-960	AMD	90-04-074	275-56-345	REP	90-03-113	284-55-205	REP-P	90-04-089
275-56-005	AMD	90-03-113	275-56-350	REP	90-03-113	284-55-210	REP-P	90-04-089
275-56-010	AMD	90-03-113	275-56-355	AMD	90-03-113	284-66-010	NEW-P	90-04-089
275-56-015	AMD	90-03-113	275-56-360	REP	90-03-113	284-66-010	NEW	90-07-059
275-56-016	NEW	90-03-113	275-56-365	AMD	90-03-113	284-66-020	NEW-P	90-04-089
275-56-017	NEW	90-03-113	275-56-370	REP	90-03-113	284-66-020	NEW	90-07-059
275-56-020	AMD	90-03-113	275-56-375	REP	90-03-113	284-66-030	NEW-P	90-04-089
275-56-025	AMD	90-03-113	275-56-380	REP	90-03-113	284-66-030	NEW	90-07-059
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275-56-042	NEW	90-03-113	275-56-400	AMD	90-03-113	284-66-050	NEW	90-07-059
275-56-043	NEW	90-03-113	275-56-405	REP	90-03-113	284-66-060	NEW-P	90-04-089
275-56-050	AMD	90-03-113	275-56-410	REP	90-03-113	284-66-060	NEW	90-07-059
275-56-055	AMD	90-03-113	275-56-415	REP	90-03-113	284-66-070	NEW-P	90-04-089
275-56-060	AMD	90-03-113	275-56-420	REP	90-03-113	284-66-070	NEW	90-07-059
275-56-065	AMD	90-03-113	275-56-425	AMD	90-03-113	284-66-080	NEW-P	90-04-089
275-56-070	AMD	90-03-113	275-56-430	REP	90-03-113	284-66-080	NEW	90-07-059
275-56-075	AMD	90-03-113	275-56-435	REP	90-03-113	284-66-090	NEW-P	90-04-089
275-56-080	AMD	90-03-113	275-56-440	REP	90-03-113	284-66-090	NEW	90-07-059
275-56-085	AMD	90-03-113	275-56-445	AMD	90-03-113	284-66-100	NEW-P	90-04-089
275-56-087	NEW	90-03-113	275-56-450	REP	90-03-113	284-66-100	NEW	90-07-059
275-56-088	NEW	90-03-113	275-56-465	NEW	90-03-113	284-66-110	NEW-P	90-04-089

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284-66-120	NEW-P	90-04-089	292-12-060	NEW-E	90-08-077	296-14-970	NEW-E	90-12-105
284-66-120	NEW	90-07-059	292-12-060	NEW	90-10-059	296-14-970	NEW-P	90-12-103
284-66-130	NEW-P	90-04-089	292-12-070	NEW-P	90-03-095	296-15-020	AMD-P	90-09-071
284-66-130	NEW	90-07-059	292-12-070	NEW-E	90-08-077	296-15-070	AMD-P	90-09-072
284-66-140	NEW-P	90-04-089	292-12-070	NEW	90-10-059	296-17-350	AMD-P	90-08-092
284-66-140	NEW	90-07-059	292-12-080	NEW-P	90-03-095	296-17-350	AMD-C	90-11-099
284-66-150	NEW-P	90-04-089	292-12-080	NEW-E	90-08-077	296-17-45002	AMD-P	90-08-092
284-66-150	NEW	90-07-059	292-12-080	NEW	90-10-059	296-17-45002	AMD-C	90-11-099
284-66-160	NEW-P	90-04-089	292-12-090	NEW-P	90-03-095	296-17-45003	AMD-P	90-08-092
284-66-160	NEW	90-07-059	292-12-090	NEW-E	90-08-077	296-17-45003	AMD-C	90-11-099
284-66-170	NEW-P	90-04-089	292-12-090	NEW	90-10-059	296-17-50904	AMD-P	90-08-092
284-66-170	NEW	90-07-059	292-12-110	NEW-P	90-03-095	296-17-50904	AMD-C	90-11-099
284-66-180	NEW-P	90-04-089	292-12-110	NEW-E	90-08-077	296-17-519	AMD-P	90-08-092
284-66-180	NEW	90-07-059	292-12-110	NEW	90-10-059	296-17-519	AMD-C	90-11-099
284-66-190	NEW-P	90-04-089	292-12-120	NEW-P	90-03-095	296-17-532	AMD-P	90-08-092
284-66-190	NEW	90-07-059	292-12-120	NEW-E	90-08-077	296-17-532	AMD-C	90-11-099
284-66-200	NEW-P	90-04-089	292-12-120	NEW	90-10-059	296-17-57602	AMD-P	90-08-092
284-66-200	NEW	90-07-059	292-12-130	NEW-P	90-03-095	296-17-57602	AMD-C	90-11-099
284-66-210	NEW-P	90-04-089	292-12-130	NEW-E	90-08-077	296-17-590	AMD-P	90-08-092
284-66-210	NEW	90-07-059	292-12-130	NEW	90-10-059	296-17-590	AMD-C	90-11-099
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284-66-220	NEW	90-07-059	292-12-140	NEW-E	90-08-077	296-17-592	AMD-C	90-11-099
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284-66-250	NEW-P	90-04-089	292-12-160	NEW-P	90-03-095	296-17-634	AMD-P	90-08-092
284-66-250	NEW	90-07-059	292-12-160	NEW-E	90-08-077	296-17-634	AMD-C	90-11-099
284-66-260	NEW-P	90-04-089	292-12-160	NEW	90-10-059	296-17-679	AMD-P	90-08-092
284-66-260	NEW	90-07-059	292-12-170	NEW-P	90-03-095	296-17-679	AMD-C	90-11-099
284-66-270	NEW-P	90-04-089	292-12-170	NEW-E	90-08-077	296-17-870	AMD-P	90-08-092
284-66-270	NEW	90-07-059	292-12-170	NEW	90-10-059	296-17-870	AMD-C	90-11-099
284-66-300	NEW-P	90-04-089	292-12-180	NEW-P	90-03-095	296-17-87308	AMD-P	90-08-092
284-66-300	NEW	90-07-059	292-12-180	NEW-E	90-08-077	296-17-87308	AMD-C	90-11-099
284-66-310	NEW-P	90-04-089	292-12-180	NEW	90-10-059	296-17-885	AMD-P	90-08-092
284-66-310	NEW	90-07-059	296-04-001	AMD-P	90-06-103	296-17-885	AMD-C	90-11-099
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284-66-330	NEW-P	90-04-089	296-04-042	NEW-P	90-06-104	296-18A-440	AMD-P	90-09-072
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284-66-350	NEW	90-07-059	296-04-340	AMD	90-10-019	296-18A-515	NEW-P	90-09-072
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292-08-040	NEW-P	90-03-095	296-06-080	AMD	90-07-004	296-20-075	AMD	90-04-057
292-08-040	NEW-E	90-08-077	296-06-090	AMD-P	90-02-089	296-20-1103	AMD-P	90-09-072
292-08-040	NEW	90-10-059	296-06-090	AMD	90-07-004	296-20-124	AMD	90-04-007
292-08-050	NEW-P	90-03-095	296-06-100	AMD-P	90-02-089	296-20-680	AMD	90-04-007
292-08-050	NEW-E	90-08-077	296-06-100	AMD	90-07-004	296-23A-150	AMD	90-04-057
292-08-050	NEW	90-10-059	296-06-110	AMD-P	90-02-089	296-23A-170	AMD	90-04-057
292-12-010	NEW-P	90-03-095	296-06-110	AMD	90-07-004	296-24-020	AMD	90-03-029
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292-12-010	NEW	90-10-059	296-06-120	AMD	90-07-004	296-24-07801	AMD-W	90-11-041
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292-12-020	NEW-E	90-08-077	296-06-130	AMD	90-07-004	296-24-102	NEW	90-03-029
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292-12-030	NEW-P	90-03-095	296-06-140	AMD	90-07-004	296-24-12009	AMD	90-03-029
292-12-030	NEW-E	90-08-077	296-06-150	AMD-P	90-02-089	296-24-15001	AMD	90-03-029
292-12-030	NEW	90-10-059	296-06-150	AMD	90-07-004	296-24-16507	AMD	90-03-029
292-12-040	NEW-P	90-03-095	296-06-170	AMD-P	90-02-089	296-24-16515	AMD	90-03-029
292-12-040	NEW-E	90-08-077	296-06-170	AMD	90-07-004	296-24-16517	AMD	90-03-029
292-12-040	NEW	90-10-059	296-06-990	REP-P	90-02-089	296-24-20503	AMD	90-03-029
292-12-050	NEW-P	90-03-095	296-06-990	REP	90-07-004	296-24-20700	AMD-P	90-03-093
292-12-050	NEW-E	90-08-077	296-06-99001	REP-P	90-02-089	296-24-20700	AMD	90-09-026
292-12-050	NEW	90-10-059	296-06-99001	REP	90-07-004	296-24-550	AMD	90-03-029

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296-24-75009	AMD	90-03-029	296-62-40011	NEW-P	90-12-106	296-155-691	AMD-P	90-12-106
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296-24-87001	AMD	90-09-026	296-99-015	AMD	90-03-029	296-306-060	AMD-W	90-11-041
296-24-87003	REP-P	90-03-093	296-99-050	AMD	90-03-029	296-306-400	NEW	90-11-023
296-24-87003	REP	90-09-026	296-104-015	AMD-P	90-04-065	296-306-40003	NEW	90-11-023
296-24-87005	REP-P	90-03-093	296-104-015	AMD	90-07-082	296-306-40005	NEW	90-11-023
296-24-87005	REP	90-09-026	296-104-195	NEW	90-04-009	296-350-030	AMD-P	90-03-093
296-24-87007	REP-P	90-03-093	296-104-200	AMD	90-04-009	296-350-030	AMD	90-09-026
296-24-87007	REP	90-09-026	296-116-075	AMD-P	90-10-060	296-401-175	AMD-P	90-12-104
296-24-87009	AMD-P	90-03-093	296-116-120	AMD-C	90-08-094	308-11-030	AMD-P	90-03-107
296-24-87009	AMD	90-09-026	296-116-120	AMD-W	90-09-016	308-11-030	AMD	90-06-052
296-24-87011	NEW-P	90-03-093	296-116-120	AMD-P	90-09-030	308-12-031	AMD-P	90-06-066
296-24-87011	NEW	90-09-026	296-116-130	REP-P	90-08-076	308-12-031	AMD	90-11-062
296-24-87013	NEW-P	90-03-093	296-116-185	AMD-P	90-03-096	308-12-320	PREP	90-05-041
296-24-87013	NEW	90-09-026	296-116-185	AMD	90-09-013	308-12-326	AMD	90-03-032
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296-24-87015	NEW	90-09-026	296-116-300	AMD	90-08-095	308-13-150	AMD-P	90-11-061
296-24-87017	NEW-P	90-03-093	296-127-016	REP-E	90-08-061	308-14-080	NEW-P	90-05-058
296-24-87017	NEW	90-09-026	296-127-040	AMD-E	90-09-047	308-14-080	NEW	90-10-009
296-24-87019	NEW-P	90-03-093	296-127-045	AMD-E	90-09-047	308-14-090	NEW-P	90-05-058
296-24-87019	NEW	90-09-026	296-127-400	NEW-E	90-06-008	308-14-090	NEW	90-10-009
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296-24-87033	NEW-P	90-03-093	296-127-430	NEW-E	90-06-008	308-14-110	NEW-P	90-05-058
296-24-87033	NEW	90-09-026	296-127-440	NEW-E	90-06-008	308-14-110	NEW	90-10-009
296-24-87035	NEW-P	90-03-093	296-127-450	NEW-E	90-06-008	308-14-200	NEW-P	90-05-058
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296-24-87037	NEW-P	90-03-093	296-127-470	NEW-E	90-06-008	308-20-107	AMD-P	90-03-018
296-24-87037	NEW	90-09-026	296-131	AMD-C	90-08-093	308-20-107	AMD	90-07-030
296-36-145	AMD-P	90-12-106	296-131-001	AMD-P	90-07-078	308-20-140	AMD-P	90-03-018
296-36-170	AMD-P	90-12-106	296-131-001	AMD-C	90-12-069	308-20-140	AMD	90-07-030
296-36-175	AMD-P	90-12-106	296-131-005	NEW-P	90-07-078	308-20-155	AMD-P	90-03-018
296-36-180	AMD-P	90-12-106	296-131-005	NEW-C	90-12-069	308-20-155	AMD	90-07-030
296-36-210	AMD-P	90-12-106	296-131-020	NEW-P	90-07-078	308-20-210	AMD-P	90-03-018
296-46-910	AMD-P	90-12-104	296-131-020	NEW-C	90-12-069	308-20-210	AMD	90-07-030
296-46-915	AMD-P	90-12-104	296-131-100	NEW-P	90-07-078	308-25-010	REP-W	90-12-002
296-52-417	AMD	90-03-029	296-131-100	NEW-C	90-12-069	308-25-011	NEW-W	90-12-002
296-52-419	AMD	90-03-029	296-131-105	NEW-P	90-07-078	308-25-015	AMD-W	90-12-002
296-52-461	AMD	90-03-029	296-131-105	NEW-C	90-12-069	308-25-031	NEW-W	90-12-002
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296-52-481	AMD	90-03-029	296-131-115	NEW-P	90-07-078	308-25-037	NEW	90-12-068
296-52-509	AMD	90-03-029	296-131-115	NEW-C	90-12-069	308-25-038	NEW-P	90-09-062
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296-54-569	AMD	90-09-026	296-131-125	NEW-P	90-07-078	308-25-045	NEW-W	90-12-002
296-62-07007	REP-P	90-03-093	296-131-125	NEW-C	90-12-069	308-25-046	NEW-W	90-12-002
296-62-07007	REP	90-09-026	296-131-126	NEW-P	90-07-078	308-25-047	NEW-W	90-12-002
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296-62-07517	AMD	90-09-026	296-155-200	AMD-W	90-11-041	308-29-045	AMD	90-06-052
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296-62-07521	AMD-P	90-12-106	296-155-227	NEW-P	90-03-093	308-30-040	AMD-P	90-03-107
296-62-07531	AMD-P	90-03-093	296-155-367	AMD-P	90-12-106	308-30-050	AMD-P	90-03-107
296-62-07531	AMD	90-09-026	296-155-480	AMD-P	90-03-093	308-30-060	AMD-P	90-03-107
296-62-07540	AMD	90-03-029	296-155-480	AMD	90-09-026	308-30-070	AMD-P	90-03-107
296-62-07544	AMD	90-03-029	296-155-485	AMD	90-03-029	308-30-080	AMD-P	90-03-107
296-62-07713	AMD-P	90-12-106	296-155-48531	AMD-P	90-12-106	308-30-090	AMD-P	90-03-107
296-62-3110	AMD-P	90-03-093	296-155-48533	AMD	90-03-029	308-30-100	AMD-P	90-03-107
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296-62-40005	NEW-P	90-12-106	296-155-680	AMD-P	90-12-106	308-31-210	NEW	90-12-013
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308-31-250	NEW	90-12-013	308-56A-510	NEW-E	90-06-016	308-121-180	NEW-P	90-10-084
308-31-260	NEW-P	90-06-064	308-56A-510	NEW	90-11-091	308-121-180	NEW-C	90-12-115
308-31-260	NEW	90-12-013	308-56A-515	NEW-P	90-06-015	308-122-275	AMD	90-04-094
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308-31-280	NEW	90-12-013	308-56A-520	NEW-E	90-06-016	308-122-503	REP	90-05-015
308-32-090	AMD-P	90-03-107	308-56A-520	NEW	90-11-091	308-122-503	REP-E	90-05-017
308-32-090	AMD	90-06-052	308-66-150	AMD-P	90-04-048	308-122-550	REP	90-05-015
308-33-105	AMD-P	90-03-107	308-66-150	AMD-C	90-12-089	308-122-550	REP-E	90-05-017
308-33-105	AMD	90-06-052	308-66-152	NEW-P	90-04-048	308-122-555	REP	90-05-015
308-34-170	AMD	90-04-094	308-66-152	NEW-C	90-12-089	308-122-555	REP-E	90-05-017
308-34-170	AMD-E	90-08-100	308-66-190	AMD-P	90-06-022	308-122-560	REP	90-05-015
308-34-170	AMD-P	90-08-101	308-66-190	AMD	90-10-013	308-122-560	REP-E	90-05-017
308-39-100	AMD-P	90-06-065	308-67-010	NEW	90-03-022	308-122-565	REP	90-05-015
308-39-110	AMD-P	90-06-065	308-72-509	NEW-P	90-08-116	308-122-565	REP-E	90-05-017
308-39-120	REP-P	90-06-065	308-72-520	AMD-P	90-08-116	308-122-570	REP	90-05-015
308-39-125	NEW-P	90-06-065	308-72-540	AMD-P	90-08-116	308-122-570	REP-E	90-05-017
308-39-130	NEW-P	90-06-065	308-72-542	NEW-P	90-08-116	308-122-575	REP	90-05-015
308-39-140	NEW-P	90-06-065	308-72-570	AMD-P	90-08-116	308-122-575	REP-E	90-05-017
308-39-150	NEW-P	90-06-065	308-72-690	AMD-P	90-08-116	308-122-580	REP	90-05-015
308-39-160	NEW-P	90-06-065	308-77-034	AMD-P	90-08-117	308-122-580	REP-E	90-05-017
308-39-170	NEW-P	90-06-065	308-77-040	AMD-P	90-08-117	308-124C-020	AMD-P	90-10-075
308-39-180	NEW-P	90-06-065	308-77-120	AMD-P	90-08-117	308-124C-020	AMD-W	90-11-008
308-39-190	NEW-P	90-06-065	308-77-125	NEW-E	90-08-060	308-124C-020	AMD-P	90-11-098
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308-40-107	NEW	90-08-011	308-78-040	AMD-P	90-08-118	308-124H	AMD-C	90-05-072
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308-40-115	NEW	90-11-083	308-91-010	AMD-P	90-10-091	308-124H-011	NEW-P	90-02-102
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308-40-135	NEW	90-05-039	308-91-060	AMD-P	90-10-091	308-124H-020	REP-C	90-05-072
308-40-150	NEW-P	90-07-068	308-91-070	AMD-P	90-10-091	308-124H-020	REP	90-10-010
308-40-151	NEW-P	90-07-068	308-91-080	AMD-P	90-10-091	308-124H-021	NEW-P	90-02-102
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308-51-120	AMD-P	90-07-069	308-121-030	REP-P	90-12-117	308-124H-035	AMD-P	90-02-102
308-51-130	AMD-P	90-07-069	308-121-040	REP-P	90-12-117	308-124H-035	AMD-C	90-05-072
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308-52-260	AMD-P	90-12-116	308-121-060	REP-P	90-12-117	308-124H-036	AMD-C	90-05-072
308-52-590	AMD-E	90-04-093	308-121-070	REP-P	90-12-117	308-124H-036	AMD	90-10-010
308-52-590	AMD-E	90-06-100	308-121-110	NEW-P	90-10-084	308-124H-037	AMD-P	90-02-102
308-52-590	AMD-P	90-08-009	308-121-110	NEW-C	90-12-115	308-124H-037	AMD-C	90-05-072
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308-52-690	AMD-E	90-11-044	308-121-120	NEW-C	90-12-115	308-124H-038	REP-P	90-02-102
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308-53-075	AMD	90-11-080	308-121-130	NEW-C	90-12-115	308-124H-038	REP	90-10-010
308-53-084	AMD-P	90-08-106	308-121-140	NEW-P	90-10-084	308-124H-040	REP-P	90-02-102
308-53-084	AMD	90-11-080	308-121-140	NEW-C	90-12-115	308-124H-040	REP-C	90-05-072
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308-53-085	AMD	90-11-080	308-121-145	NEW-C	90-12-115	308-124H-041	NEW-P	90-02-102
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308-124H-045	REP	90-10-010	308-124I-060	NEW-P	90-02-102	308-173-260	NEW-P	90-10-084
308-124H-050	REP-P	90-02-102	308-124I-070	NEW-P	90-02-102	308-173-260	NEW-C	90-12-115
308-124H-050	REP-C	90-05-072	308-124I-080	NEW-P	90-02-102	308-173-265	NEW-P	90-10-084
308-124H-050	REP	90-10-010	308-124I-090	NEW-P	90-02-102	308-173-265	NEW-C	90-12-115
308-124H-051	NEW-P	90-02-102	308-124I-100	NEW-P	90-02-102	308-173-270	NEW-P	90-10-084
308-124H-051	NEW-C	90-05-072	308-124I-110	NEW-P	90-02-102	308-173-270	NEW-C	90-12-115
308-124H-051	NEW	90-10-010	308-124I-120	NEW-P	90-02-102	308-173-275	NEW-P	90-10-084
308-124H-055	REP-P	90-02-102	308-124I-130	NEW-P	90-02-102	308-173-275	NEW-C	90-12-115
308-124H-055	REP-C	90-05-072	308-124I-140	NEW-P	90-02-102	308-173-280	NEW-P	90-10-084
308-124H-055	REP	90-10-010	308-124J-010	NEW-P	90-02-102	308-173-280	NEW-C	90-12-115
308-124H-060	REP-P	90-02-102	308-124J-020	NEW-P	90-02-102	308-175-140	AMD	90-04-094
308-124H-060	REP-C	90-05-072	308-124J-030	NEW-P	90-02-102	308-175-200	AMD-E	90-06-004
308-124H-060	REP	90-10-010	308-124J-040	NEW-P	90-02-102	308-175-200	AMD-P	90-11-019
308-124H-061	NEW-P	90-02-102	308-124J-050	NEW-P	90-02-102	308-177-110	AMD	90-04-094
308-124H-061	NEW-C	90-05-072	308-124J-060	NEW-P	90-02-102	308-180-120	AMD-P	90-05-053
308-124H-061	NEW	90-10-010	308-124J-070	NEW-P	90-02-102	308-180-120	AMD	90-11-093
308-124H-062	NEW-P	90-02-102	308-124J-080	NEW-P	90-02-102	308-180-150	AMD-P	90-08-002
308-124H-062	NEW-C	90-05-072	308-127-010	REP-P	90-04-088	308-180-150	AMD	90-12-114
308-124H-062	NEW	90-10-010	308-127-010	REP	90-07-023	308-180-210	AMD-P	90-08-002
308-124H-065	REP-P	90-02-102	308-127-020	REP-P	90-04-088	308-180-210	AMD	90-12-114
308-124H-065	REP-C	90-05-072	308-127-020	REP	90-07-023	308-180-250	AMD-P	90-08-002
308-124H-065	REP	90-10-010	308-127-030	REP-P	90-04-088	308-180-250	AMD	90-12-114
308-124H-070	REP-P	90-02-102	308-127-030	REP	90-07-023	308-180-260	AMD	90-04-094
308-124H-070	REP-C	90-05-072	308-127-035	NEW-P	90-04-088	308-180-260	AMD-P	90-08-009
308-124H-070	REP	90-10-010	308-127-035	NEW	90-07-023	308-190-010	AMD	90-04-094
308-124H-210	NEW-C	90-05-072	308-127-040	AMD-P	90-04-088	308-190-010	AMD-P	90-08-009
308-124H-210	NEW	90-10-010	308-127-040	AMD	90-07-023	308-310-010	AMD	90-04-094
308-124H-220	NEW-C	90-05-072	308-127-100	REP-P	90-04-088	308-320-010	NEW	90-02-060
308-124H-220	NEW	90-10-010	308-127-100	REP	90-07-023	308-320-010	NEW-E	90-02-061
308-124H-230	NEW-C	90-05-072	308-127-105	NEW-P	90-04-088	308-320-020	NEW	90-02-060
308-124H-230	NEW	90-10-010	308-127-105	NEW	90-07-023	308-320-020	NEW-E	90-02-061
308-124H-240	NEW-C	90-05-072	308-127-110	AMD-P	90-04-088	308-320-030	NEW	90-02-060
308-124H-240	NEW	90-10-010	308-127-110	AMD	90-07-023	308-320-030	NEW-E	90-02-061
308-124H-250	NEW-C	90-05-072	308-127-120	AMD-P	90-04-088	308-320-040	NEW	90-02-060
308-124H-250	NEW	90-10-010	308-127-120	AMD	90-07-023	308-320-040	NEW-E	90-02-061
308-124H-260	NEW-C	90-05-072	308-127-130	AMD-P	90-04-088	308-320-050	NEW	90-02-060
308-124H-260	NEW	90-10-010	308-127-130	AMD	90-07-023	308-320-050	NEW-E	90-02-061
308-124H-270	NEW-C	90-05-072	308-127-140	AMD-P	90-04-088	308-320-060	NEW	90-02-060
308-124H-270	NEW	90-10-010	308-127-140	AMD	90-07-023	308-320-060	NEW-E	90-02-061
308-124H-280	NEW-C	90-05-072	308-127-155	REP-P	90-04-088	308-320-070	NEW	90-02-060
308-124H-280	NEW	90-10-010	308-127-155	REP	90-07-023	308-320-070	NEW-E	90-02-061
308-124H-290	NEW-C	90-05-072	308-127-160	NEW-P	90-04-088	308-320-080	NEW	90-02-060
308-124H-290	NEW	90-10-010	308-127-160	NEW	90-07-023	308-320-080	NEW-E	90-02-061
308-124H-300	NEW-C	90-05-072	308-127-200	AMD-P	90-04-088	308-320-090	NEW	90-02-060
308-124H-300	NEW	90-10-010	308-127-200	AMD	90-07-023	308-320-090	NEW-E	90-02-061
308-124H-310	NEW-C	90-05-072	308-127-210	AMD-P	90-04-088	308-320-100	NEW-W	90-11-068
308-124H-310	NEW	90-10-010	308-127-210	AMD	90-07-023	308-400-042	AMD	90-04-051
308-124H-320	NEW-C	90-05-072	308-127-220	REP-P	90-04-088	308-400-095	AMD	90-04-051
308-124H-320	NEW	90-10-010	308-127-220	REP	90-07-023	314-12-135	NEW-P	90-10-088
308-124H-330	NEW-C	90-05-072	308-127-225	NEW-P	90-04-088	314-12-175	AMD-P	90-10-087
308-124H-330	NEW	90-10-010	308-127-225	NEW	90-07-023	314-16-170	AMD-P	90-03-088
308-124H-340	NEW-C	90-05-072	308-127-300	AMD-P	90-04-088	314-20-020	AMD-P	90-10-090
308-124H-340	NEW	90-10-010	308-127-300	AMD	90-07-023	314-20-025	NEW-P	90-03-089
308-124H-510	NEW-C	90-05-072	308-128B-060	REP	90-03-098	314-40-020	AMD-P	90-10-089
308-124H-510	NEW	90-10-010	308-128B-080	AMD	90-03-099	314-60-040	AMD	90-02-109
308-124H-520	NEW-C	90-05-072	308-138-080	AMD	90-04-094	315-04-132	AMD-P	90-07-086
308-124H-520	NEW	90-10-010	308-152-030	AMD	90-04-094	315-04-132	AMD	90-11-040
308-124H-530	NEW-C	90-05-072	308-152-030	AMD-P	90-08-009	315-06-080	AMD-P	90-07-086
308-124H-530	NEW	90-10-010	308-171-001	AMD-P	90-04-096	315-06-080	AMD	90-11-040
308-124H-540	NEW-C	90-05-072	308-171-010	AMD-P	90-04-096	315-08-010	NEW-P	90-07-086
308-124H-540	NEW	90-10-010	308-171-020	AMD-P	90-04-096	315-08-010	NEW	90-11-040
308-124H-550	NEW-C	90-05-072	308-171-041	NEW-P	90-04-096	315-08-020	NEW-P	90-07-086
308-124H-550	NEW	90-10-010	308-173-130	AMD	90-04-094	315-08-020	NEW	90-11-040
308-124H-560	NEW-C	90-05-072	308-173-210	NEW-P	90-10-084	315-08-030	NEW-P	90-07-086
308-124H-560	NEW	90-10-010	308-173-210	NEW-C	90-12-115	315-08-030	NEW	90-11-040
308-124H-570	NEW-C	90-05-072	308-173-220	NEW-P	90-10-084	315-08-040	NEW-P	90-07-086
308-124H-570	NEW	90-10-010	308-173-220	NEW-C	90-12-115	315-08-040	NEW	90-11-040
308-124H-580	NEW-C	90-05-072	308-173-230	NEW-P	90-10-084	315-11-480	AMD	90-03-023
308-124H-580	NEW	90-10-010	308-173-230	NEW-C	90-12-115	315-11-490	AMD	90-03-023
308-124H-800	NEW-P	90-10-075	308-173-240	NEW-P	90-10-084	315-11-491	AMD	90-03-023
308-124H-800	NEW-W	90-11-008	308-173-240	NEW-C	90-12-115	315-11-530	NEW-P	90-03-109
308-124H-800	NEW-P	90-11-098	308-173-245	NEW-P	90-10-084	315-11-530	NEW	90-06-060
308-124I-010	NEW-P	90-02-102	308-173-245	NEW-C	90-12-115	315-11-531	NEW-P	90-03-109
308-124I-020	NEW-P	90-02-102	308-173-250	NEW-P	90-10-084	315-11-531	NEW	90-06-060
308-124I-030	NEW-P	90-02-102	308-173-250	NEW-C	90-12-115	315-11-532	NEW-P	90-03-109
308-124I-040	NEW-P	90-02-102	308-173-255	NEW-P	90-10-084	315-11-532	NEW	90-06-060

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
315-11-540	NEW-P 90-03-109	316-55-700	NEW 90-06-047	352-36-025	REP 90-10-024
315-11-540	NEW 90-06-060	316-55-710	NEW-P 90-03-039	352-36-030	REP-P 90-06-109
315-11-541	NEW-P 90-03-109	316-55-710	NEW 90-06-047	352-36-030	REP 90-10-024
315-11-541	NEW 90-06-060	316-55-730	NEW-P 90-03-039	352-36-040	REP-P 90-06-109
315-11-542	NEW-P 90-03-109	316-55-730	NEW 90-06-047	352-36-040	REP 90-10-024
315-11-542	NEW 90-06-060	316-85-001	NEW-P 90-03-040	352-36-050	REP-P 90-06-109
315-11-550	NEW-P 90-07-086	316-85-001	NEW 90-06-046	352-36-050	REP 90-10-024
315-11-550	NEW 90-11-040	316-85-010	NEW-P 90-03-040	352-36-060	REP-P 90-06-109
315-11-551	NEW-P 90-07-086	316-85-010	NEW 90-06-046	352-36-060	REP 90-10-024
315-11-551	NEW 90-11-040	316-85-020	NEW-P 90-03-040	352-36-070	REP-P 90-06-109
315-11-552	NEW-P 90-07-086	316-85-020	NEW 90-06-046	352-36-070	REP 90-10-024
315-11-552	NEW 90-11-040	316-85-030	NEW-P 90-03-040	352-36-080	REP-P 90-06-109
315-11-560	NEW-P 90-11-127	316-85-030	NEW 90-06-046	352-36-080	REP 90-10-024
315-11-561	NEW-P 90-11-127	316-85-040	NEW-P 90-03-040	352-36-090	REP-P 90-06-109
315-11-562	NEW-P 90-11-127	316-85-040	NEW 90-06-046	352-36-090	REP 90-10-024
315-11-570	NEW-P 90-11-127	316-85-050	NEW-P 90-03-040	352-36-100	REP-P 90-06-109
315-11-571	NEW-P 90-11-127	316-85-050	NEW 90-06-046	352-36-100	REP 90-10-024
315-11-572	NEW-P 90-11-127	316-85-060	NEW-P 90-03-040	352-36-110	REP-P 90-06-109
315-33-010	NEW-P 90-03-109	316-85-060	NEW 90-06-046	352-36-110	REP 90-10-024
315-33-010	NEW 90-06-060	316-85-070	NEW-P 90-03-040	352-36-115	REP-P 90-06-109
315-33-020	NEW-P 90-03-109	316-85-070	NEW 90-06-046	352-36-115	REP 90-10-024
315-33-020	NEW 90-06-060	316-85-080	NEW-P 90-03-040	352-36-120	REP-P 90-06-109
315-33-030	NEW-P 90-03-109	316-85-080	NEW 90-06-046	352-36-120	REP 90-10-024
315-33-030	NEW 90-06-060	316-85-090	NEW-P 90-03-040	352-36-130	REP-P 90-06-109
315-33-040	NEW-P 90-03-109	316-85-090	NEW 90-06-046	352-36-130	REP 90-10-024
315-33-040	NEW 90-06-060	316-85-100	NEW-P 90-03-040	352-36-140	REP-P 90-06-109
315-33-050	NEW-P 90-03-109	316-85-100	NEW 90-06-046	352-36-140	REP 90-10-024
315-33-050	NEW 90-06-060	326-30-030	AMD 90-06-040	352-37-010	NEW-P 90-04-106
315-33-060	NEW-P 90-03-109	326-30-03902	NEW 90-06-041	352-37-010	NEW-E 90-06-006
315-33-060	NEW 90-06-060	332-24-700	NEW-P 90-12-015	352-37-010	NEW 90-07-050
315-33-070	NEW-P 90-03-109	332-30-166	AMD 90-02-085	352-37-020	NEW-P 90-04-106
315-33-070	NEW 90-06-060	332-130-030	AMD-P 90-03-066	352-37-020	NEW-E 90-06-006
316-55-001	AMD-P 90-03-039	332-130-030	AMD 90-06-028	352-37-020	NEW 90-07-050
316-55-001	AMD 90-06-047	332-130-070	AMD-P 90-03-066	352-37-030	NEW-P 90-04-106
316-55-005	NEW-P 90-03-039	332-130-070	AMD 90-06-028	352-37-030	NEW-E 90-06-006
316-55-005	NEW 90-06-047	332-130-080	AMD-P 90-03-066	352-37-030	NEW 90-07-050
316-55-010	AMD-P 90-03-039	332-130-080	AMD 90-06-028	352-37-040	NEW-P 90-04-106
316-55-010	AMD 90-06-047	332-130-090	AMD-P 90-03-066	352-37-040	NEW-E 90-06-006
316-55-020	AMD-P 90-03-039	332-130-090	AMD 90-06-028	352-37-040	NEW 90-07-050
316-55-020	AMD 90-06-047	352-12-020	AMD-P 90-04-108	352-37-050	NEW-P 90-04-106
316-55-030	AMD-P 90-03-039	352-12-020	AMD 90-07-062	352-37-050	NEW-E 90-06-006
316-55-030	AMD 90-06-047	352-12-030	AMD-E 90-08-121	352-37-050	NEW 90-07-050
316-55-050	AMD-P 90-03-039	352-12-030	AMD-P 90-04-108	352-37-060	NEW-P 90-04-106
316-55-050	AMD 90-06-047	352-12-030	AMD 90-07-062	352-37-060	NEW-E 90-06-006
316-55-070	AMD-P 90-03-039	352-12-030	AMD-E 90-08-121	352-37-060	NEW 90-07-050
316-55-070	AMD 90-06-047	352-20-010	AMD-P 90-04-108	352-37-070	NEW-P 90-04-106
316-55-090	RE-AD-P 90-03-039	352-20-010	AMD 90-07-062	352-37-070	NEW-E 90-06-006
316-55-090	RE-AD 90-06-047	352-20-010	AMD-E 90-08-121	352-37-070	NEW 90-07-050
316-55-110	AMD-P 90-03-039	352-20-050	AMD-P 90-04-108	352-37-080	NEW-P 90-04-106
316-55-110	AMD 90-06-047	352-20-050	AMD 90-07-062	352-37-080	NEW-E 90-06-006
316-55-120	NEW-P 90-03-039	352-20-050	AMD-E 90-08-121	352-37-080	NEW 90-07-050
316-55-120	NEW 90-06-047	352-32-010	AMD-P 90-04-108	352-37-090	NEW-P 90-04-106
316-55-130	RE-AD-P 90-03-039	352-32-010	AMD-W 90-07-064	352-37-090	NEW-E 90-06-006
316-55-130	RE-AD 90-06-047	352-32-045	AMD-P 90-04-108	352-37-090	NEW 90-07-050
316-55-150	RE-AD-P 90-03-039	352-32-045	AMD 90-07-062	352-37-100	NEW-P 90-04-106
316-55-150	RE-AD 90-06-047	352-32-045	AMD-E 90-08-121	352-37-100	NEW-E 90-06-006
316-55-160	AMD-P 90-03-039	352-32-050	AMD-P 90-04-108	352-37-100	NEW 90-07-050
316-55-160	AMD 90-06-047	352-32-050	AMD 90-07-062	352-37-110	NEW-P 90-04-106
316-55-170	RE-AD-P 90-03-039	352-32-050	AMD-E 90-08-121	352-37-110	NEW-E 90-06-006
316-55-170	RE-AD 90-06-047	352-32-235	AMD 90-04-025	352-37-110	NEW 90-07-050
316-55-500	AMD-P 90-03-039	352-32-250	AMD-P 90-04-108	352-37-120	NEW-P 90-04-106
316-55-500	AMD 90-06-047	352-32-250	AMD 90-07-062	352-37-120	NEW-E 90-06-006
316-55-505	AMD-P 90-03-039	352-32-250	AMD-E 90-08-121	352-37-120	NEW 90-07-050
316-55-505	AMD 90-06-047	352-32-25001	AMD-P 90-04-108	352-37-130	NEW-P 90-04-106
316-55-510	RE-AD-P 90-03-039	352-32-25001	AMD 90-07-062	352-37-130	NEW-E 90-06-006
316-55-510	RE-AD 90-06-047	352-32-25001	AMD-E 90-08-121	352-37-130	NEW 90-07-050
316-55-515	AMD-P 90-03-039	352-32-251	AMD 90-04-024	352-37-140	NEW-P 90-04-106
316-55-515	AMD 90-06-047	352-32-252	AMD-P 90-04-108	352-37-140	NEW-E 90-06-006
316-55-517	NEW-P 90-03-039	352-32-252	AMD 90-07-062	352-37-140	NEW 90-07-050
316-55-517	NEW 90-06-047	352-32-252	AMD-E 90-08-121	352-37-150	NEW-P 90-04-106
316-55-520	REP-P 90-03-039	352-32-270	AMD-P 90-06-108	352-37-150	NEW-E 90-06-006
316-55-520	REP 90-06-047	352-32-270	AMD 90-10-023	352-37-150	NEW 90-07-050
316-55-525	AMD-P 90-03-039	352-36-010	REP-P 90-06-109	352-37-160	NEW-P 90-04-106
316-55-525	AMD 90-06-047	352-36-010	REP 90-10-024	352-37-160	NEW-E 90-06-006
316-55-600	RE-AD-P 90-03-039	352-36-020	REP-P 90-06-109	352-37-160	NEW 90-07-050
316-55-600	RE-AD 90-06-047	352-36-020	REP 90-10-024	352-37-170	NEW-P 90-04-106
316-55-700	NEW-P 90-03-039	352-36-025	REP-P 90-06-109	352-37-170	NEW-E 90-06-006

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352-37-170	NEW	90-07-050	356-06-080	AMD-E	90-12-021	356-34-119	REP	90-10-018
352-37-180	NEW-P	90-04-106	356-06-080	AMD	90-12-022	356-34-130	REP-P	90-03-101
352-37-180	NEW-E	90-06-006	356-07-030	AMD-C	90-03-048	356-34-130	REP-C	90-07-053
352-37-180	NEW	90-07-050	356-07-030	AMD	90-07-056	356-34-130	REP-E	90-10-017
352-37-190	NEW-P	90-04-106	356-14-240	AMD-P	90-03-102	356-34-130	REP	90-10-018
352-37-190	NEW-E	90-06-006	356-14-240	AMD-C	90-07-054	356-34-140	REP-P	90-03-101
352-37-190	NEW	90-07-050	356-14-240	AMD-C	90-10-015	356-34-140	REP-C	90-07-053
352-37-200	NEW-P	90-04-106	356-14-240	AMD-W	90-11-043	356-34-140	REP-E	90-10-017
352-37-200	NEW-E	90-06-006	356-14-240	AMD-C	90-12-017	356-34-140	REP	90-10-018
352-37-200	NEW	90-07-050	356-15-060	AMD-P	90-03-102	356-34-160	REP-P	90-03-101
352-37-210	NEW-P	90-04-106	356-15-060	AMD-C	90-07-054	356-34-160	REP-C	90-07-053
352-37-210	NEW-E	90-06-006	356-15-060	AMD-C	90-10-015	356-34-160	REP-E	90-10-017
352-37-210	NEW	90-07-050	356-15-060	AMD-C	90-12-017	356-34-160	REP	90-10-018
352-64-020	AMD	90-04-064	356-15-100	AMD-P	90-11-112	356-34-170	REP-P	90-03-101
352-64-030	AMD	90-04-064	356-15-125	AMD-P	90-03-102	356-34-170	REP-C	90-07-053
352-64-040	AMD	90-04-064	356-15-125	AMD-C	90-07-054	356-34-170	REP-E	90-10-017
352-64-050	AMD	90-04-064	356-15-125	AMD-C	90-10-015	356-34-170	REP	90-10-018
352-64-060	AMD	90-04-064	356-15-125	AMD-C	90-12-017	356-34-170	REP-P	90-03-101
352-64-070	AMD	90-04-064	356-15-130	AMD-P	90-10-039	356-34-180	REP-C	90-07-053
352-64-080	AMD	90-04-064	356-15-130	AMD-E	90-11-042	356-34-180	REP-E	90-10-017
352-65-010	NEW-P	90-09-070	356-22-010	AMD-C	90-03-047	356-34-180	REP	90-10-018
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352-65-030	NEW-P	90-09-070	356-22-070	AMD-P	90-08-072	356-34-190	REP-C	90-07-053
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352-66-010	NEW-P	90-04-107	356-22-111	NEW-C	90-03-047	356-34-200	REP-C	90-07-053
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390-16-125	AMD-P	90-16-091	391-25-530	RE-AD	90-06-072	392-109-043	AMD-P	90-11-128
390-16-155	AMD-P	90-16-091	391-25-531	RE-AD	90-06-072	392-109-065	AMD-P	90-11-128
390-20-022	REP-P	90-12-091	391-25-550	RE-AD	90-06-072	392-109-072	AMD-P	90-11-128
390-20-111	NEW-E	90-12-004	391-25-570	RE-AD	90-06-072	392-109-117	AMD	90-04-043
390-20-111	NEW-P	90-12-091	391-25-590	RE-AD	90-06-072	392-109-120	AMD-P	90-11-128
390-20-125	AMD-P	90-12-091	391-25-610	RE-AD	90-06-072	392-120-001	AMD-P	90-11-128
390-20-125	AMD-E	90-12-077	391-25-630	RE-AD	90-06-072	392-120-005	AMD-P	90-05-035
390-37-063	AMD-P	90-12-091	391-25-650	RE-AD	90-06-072	392-120-005	AMD	90-09-038
390-37-100	AMD-P	90-12-091	391-25-670	RE-AD	90-06-072	392-120-010	AMD-P	90-05-035
390-37-210	AMD-P	90-12-091	391-35-001	AMD	90-06-073	392-120-010	AMD	90-09-038
391-08-001	AMD	90-06-070	391-35-002	RE-AD	90-06-073	392-120-015	AMD-P	90-05-035
391-08-003	RE-AD	90-06-070	391-35-010	RE-AD	90-06-073	392-120-015	AMD	90-09-038
391-08-007	RE-AD	90-06-070	391-35-020	RE-AD	90-06-073	392-120-020	AMD-P	90-05-035
391-08-010	RE-AD	90-06-070	391-35-030	RE-AD	90-06-073	392-120-020	AMD	90-09-038
391-08-020	RE-AD	90-06-070	391-35-050	RE-AD	90-06-073	392-120-025	AMD-P	90-05-035
391-08-030	RE-AD	90-06-070	391-35-070	RE-AD	90-06-073	392-120-025	AMD	90-09-038
391-08-040	RE-AD	90-06-070	391-35-080	NEW	90-06-073	392-120-030	NEW-P	90-05-035
391-08-100	RE-AD	90-06-070	391-35-090	RE-AD	90-06-073	392-120-030	NEW	90-09-038
391-08-110	REP	90-06-070	391-35-099	RE-AD	90-06-073	392-120-035	NEW-P	90-05-035
391-08-120	AMD	90-06-070	391-35-110	RE-AD	90-06-073	392-120-035	NEW	90-09-038
391-08-160	REP	90-06-070	391-35-130	RE-AD	90-06-073	392-120-040	NEW-P	90-05-035
391-08-180	AMD	90-06-070	391-35-170	AMD	90-06-073	392-120-040	NEW	90-09-038
391-08-200	REP	90-06-070	391-35-190	RE-AD	90-06-073	392-120-045	NEW-P	90-05-035
391-08-210	REP	90-06-070	391-35-210	RE-AD	90-06-073	392-120-045	NEW	90-09-038
391-08-230	RE-AD	90-06-070	391-35-230	RE-AD	90-06-073	392-120-050	NEW-P	90-05-035
391-08-300	AMD	90-06-070	391-35-250	RE-AD	90-06-073	392-120-050	NEW	90-09-038
391-08-310	AMD	90-06-070	391-45-001	AMD	90-06-074	392-120-055	NEW-P	90-05-035
391-08-315	NEW	90-06-070	391-45-002	RE-AD	90-06-074	392-120-055	NEW	90-09-038
391-08-500	REP	90-06-070	391-45-010	RE-AD	90-06-074	392-120-060	NEW-P	90-05-035
391-08-510	REP	90-06-070	391-45-019	RE-AD	90-06-074	392-120-060	NEW	90-09-038
391-08-600	REP	90-06-070	391-45-030	RE-AD	90-06-074	392-120-065	NEW-P	90-05-035
391-08-610	RE-AD	90-06-070	391-45-050	RE-AD	90-06-074	392-120-065	NEW	90-09-038
391-08-630	AMD	90-06-070	391-45-070	RE-AD	90-06-074	392-120-070	NEW-P	90-05-035
391-08-800	RE-AD	90-06-070	391-45-090	RE-AD	90-06-074	392-120-070	NEW	90-09-038
391-08-810	RE-AD	90-06-070	391-45-110	RE-AD	90-06-074	392-121-001	AMD-P	90-11-128
391-08-820	AMD	90-06-070	391-45-130	RE-AD	90-06-074	392-121-107	AMD-P	90-11-128
391-08-900	REP	90-06-070	391-45-170	AMD	90-06-074	392-121-108	AMD-P	90-11-128
391-08-910	REP	90-06-070	391-45-190	RE-AD	90-06-074	392-121-161	AMD-P	90-11-128
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392-121-299	AMD-P	90-11-128	392-127-050	NEW-P	90-09-020	392-137-225	NEW-E	90-12-074
392-121-400	AMD-P	90-11-128	392-127-050	NEW	90-12-078	392-137-230	NEW-E	90-12-074
392-121-415	AMD-P	90-11-128	392-127-055	NEW-P	90-09-020	392-137-235	NEW-E	90-12-074
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392-123-175	AMD-P	90-11-128	392-127-101	NEW-P	90-09-020	392-139-205	AMD-P	90-11-128
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392-125-005	AMD-P	90-11-128	392-127-106	NEW	90-12-078	392-139-235	AMD-P	90-11-128
392-125-036	AMD-P	90-11-128	392-127-111	NEW-P	90-09-020	392-139-330	AMD-P	90-11-128
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392-126-104	NEW-P	90-12-122	392-137-015	REP-E	90-12-074	392-140-300	AMD-P	90-11-128
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392-126-405	AMD-P	90-11-128	392-137-020	REP-E	90-12-074	392-140-302	AMD-P	90-11-128
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392-127-003	REP-P	90-09-020	392-137-035	REP-E	90-12-074	392-140-337	NEW-P	90-09-022
392-127-003	REP	90-12-078	392-137-040	REP-E	90-12-074	392-140-337	NEW	90-12-081
392-127-004	NEW-P	90-09-020	392-137-045	REP-E	90-12-074	392-140-338	NEW-P	90-09-022
392-127-004	NEW	90-12-078	392-137-051	REP-E	90-12-074	392-140-338	NEW	90-12-081
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392-127-005	REP	90-12-078	392-137-060	REP-E	90-12-074	392-140-400	NEW	90-11-028
392-127-006	NEW-P	90-09-020	392-137-065	REP-E	90-12-074	392-140-401	NEW-P	90-07-045
392-127-006	NEW	90-12-078	392-137-070	REP-E	90-12-074	392-140-401	NEW	90-11-028
392-127-010	REP-P	90-09-020	392-137-100	NEW-E	90-12-074	392-140-402	NEW-P	90-07-045
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392-127-015	NEW-P	90-09-020	392-137-120	NEW-E	90-12-074	392-140-404	NEW-P	90-07-045
392-127-015	NEW	90-12-078	392-137-125	NEW-E	90-12-074	392-140-404	NEW	90-11-028
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392-127-025	NEW	90-12-078	392-137-145	NEW-E	90-12-074	392-140-406	NEW	90-11-028
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392-140-412	NEW-P	90-07-045	392-142-245	NEW	90-02-077	392-191-010	AMD	90-02-078
392-140-412	NEW	90-11-028	392-142-250	NEW	90-02-077	392-191-020	AMD	90-02-078
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392-140-416	NEW-P	90-07-045	392-160-003	AMD-P	90-11-128	392-191-065	NEW	90-02-078
392-140-416	NEW	90-11-028	392-162-047	AMD-P	90-11-128	392-191-070	NEW	90-02-078
392-140-417	NEW-P	90-07-045	392-163-100	AMD-P	90-11-128	392-191-075	NEW	90-02-078
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392-140-418	NEW-P	90-07-045	392-164-225	AMD-P	90-11-128	392-191-085	NEW	90-02-078
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392-140-423	NEW	90-11-028	392-168-160	AMD	90-11-029	392-196-030	AMD-P	90-11-128
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392-142-100	NEW	90-02-077	392-171-825	NEW	90-10-096	402-70-030	AMD-P	90-06-106
392-142-105	NEW	90-02-077	392-171-830	NEW-P	90-04-045	402-70-040	NEW-P	90-06-106
392-142-110	NEW	90-02-077	392-171-830	NEW	90-10-096	402-70-045	NEW-P	90-06-106
392-142-115	NEW	90-02-077	392-173-003	AMD-P	90-11-128	402-70-050	AMD-P	90-06-106
392-142-120	NEW	90-02-077	392-182-005	AMD-P	90-11-128	402-70-055	NEW-P	90-06-106
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392-142-160	NEW	90-02-077	392-183A-005	NEW	90-09-039	402-70-073	NEW	90-11-126
392-142-165	NEW	90-02-077	392-183A-010	NEW	90-09-039	402-70-077	NEW-P	90-06-106
392-142-170	NEW	90-02-077	392-183A-015	NEW	90-09-039	402-70-080	AMD-P	90-06-106
392-142-175	NEW	90-02-077	392-183A-020	NEW	90-09-039	402-70-085	NEW-P	90-06-106
392-142-180	NEW	90-02-077	392-183A-025	NEW	90-09-039	402-70-090	AMD-P	90-06-106
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392-142-190	NEW	90-02-077	392-184-003	AMD-P	90-11-128	415-113-020	NEW-E	90-11-129
392-142-195	NEW	90-02-077	392-185-003	AMD-P	90-11-128	415-113-030	NEW-E	90-11-129
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440-44-060	REP-P	90-06-106	456-10-440	AMD	90-11-106	458-20-256	NEW	90-04-058
440-44-061	REP-P	90-06-106	456-10-545	AMD-P	90-08-006	458-20-257	NEW-E	90-06-078
440-44-061	REP	90-11-126	456-10-545	AMD	90-11-106	458-20-257	NEW-P	90-07-088
440-44-062	REP-P	90-06-106	456-10-730	AMD-P	90-08-006	458-20-257	NEW	90-10-081
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456-09-210	AMD	90-11-105	456-12-030	AMD-P	90-08-005	458-40-670	AMD-P	90-10-079
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456-09-230	AMD	90-11-105	456-12-090	AMD-P	90-08-005	460-20A-400	AMD	90-09-058
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456-09-320	AMD-P	90-08-097	458-14-015	NEW-W	90-11-032	460-44A-065	REP-P	90-02-087
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456-09-325	AMD-P	90-08-007	458-14-017	NEW-W	90-11-032	460-44A-065	REP	90-09-059
456-09-325	AMD	90-11-105	458-14-019	NEW-W	90-11-032	460-44A-070	REP-P	90-02-087
456-09-430	AMD-P	90-08-007	458-14-020	REP-W	90-11-032	460-44A-070	REP-S	90-05-061
456-09-430	AMD	90-11-105	458-14-021	NEW-W	90-11-032	460-44A-070	REP	90-09-059
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456-09-520	AMD	90-11-105	458-14-029	NEW-W	90-11-032	460-44A-501	AMD-P	90-02-087
456-09-530	AMD-P	90-08-007	458-14-030	REP-W	90-11-032	460-44A-501	AMD-S	90-05-061
456-09-530	AMD	90-11-105	458-14-031	NEW-W	90-11-032	460-44A-501	AMD	90-09-059
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456-09-730	AMD	90-11-105	458-14-050	REP-W	90-11-032	460-44A-503	AMD-P	90-02-087
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456-09-742	NEW	90-11-105	458-14-070	REP-W	90-11-032	460-44A-508	AMD-P	90-02-087
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456-09-925	AMD	90-11-105	458-14-091	REP-W	90-11-032	460-46A-010	AMD-P	90-02-087
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456-09-935	AMD	90-11-105	458-14-100	REP-W	90-11-032	460-46A-020	AMD-S	90-05-061
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456-09-940	AMD	90-11-105	458-14-115	REP-W	90-11-032	460-46A-025	AMD-P	90-02-087
456-09-945	AMD-P	90-08-007	458-14-120	REP-W	90-11-032	460-46A-025	AMD-S	90-05-061
456-09-945	AMD	90-11-105	458-14-121	REP-W	90-11-032	460-46A-025	AMD	90-09-059
456-09-955	AMD-P	90-08-007	458-14-122	REP-W	90-11-032	460-46A-040	AMD-P	90-02-087
456-09-955	AMD	90-11-105	458-14-125	REP-W	90-11-032	460-46A-040	AMD-S	90-05-061
456-09-960	NEW-P	90-08-007	458-14-126	REP-W	90-11-032	460-46A-040	AMD	90-09-059
456-09-960	NEW	90-11-105	458-14-130	REP-W	90-11-032	460-46A-090	AMD-P	90-02-087
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456-10-160	AMD-P	90-08-006	458-14-145	REP-W	90-11-032	460-46A-095	AMD-P	90-02-087
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460-46A-150	AMD-S	90-05-061	463-30-335	NEW	90-05-018	479-13-040	REP	90-11-035
460-46A-150	AMD	90-09-059	463-30-340	REP	90-05-018	479-13-050	REP-P	90-07-060
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460-46A-165	AMD	90-09-059	463-34-010	AMD	90-05-018	479-16-016	AMD	90-11-035
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460-90A-015	AMD-P	90-03-106	463-34-040	REP	90-05-018	479-16-030	AMD-P	90-07-060
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460-90A-017	AMD	90-06-051	463-34-060	AMD	90-05-018	479-16-035	AMD-P	90-07-060
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