



EXPEDITED RULE MAKING

CR-105 (December 2017) (Implements RCW 34.05.353)

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STATE OF WASHINGTON
FILED

DATE: July 22, 2020

TIME: 8:59 AM

WSR 20-15-155

Agency: Employment Security Department

Title of rule and other identifying information: (describe subject)
WAC 192-01-001 Rule governance statement.

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

The Employment Security Department must engage in rulemaking to implement certain provisions of the Long-Term Services and Supports Trust Program under Title 50B RCW. Amendments to WAC 192-01-001 are necessary to assign chapters 192-900 through 192-999 WAC to this program.

Reasons supporting proposal: The proposed amendments to WAC 192-01-001 assign chapters 192-900 through 192-999 WAC to the Long-Term Services and Supports Trust Program under Title 50B RCW. The amendments enable rulemaking to implement and administer portions of the program under the Employment Security Department's authority.

WAC 192-01-001 dictates what chapters of Title 192 WAC are assigned to programs administered by the Employment Security Department and include Unemployment Insurance under Title 50 RCW, Paid Family and Medical Leave under Title 50A RCW, and portions of the Long-Term Services and Supports Trust Program under Title 50B RCW.

Statutory authority for adoption: RCW 50B.04.020

Statute being implemented: Title 50B RCW

Is rule necessary because of a:

- | | | |
|-------------------------|------------------------------|--|
| Federal Law? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Federal Court Decision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| State Court Decision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

If yes, CITATION:

Name of proponent: (person or organization) Employment Security Department, Long-Term Services and Supports Trust Program

- Private
 Public
 Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	April Amundson	Lacey, WA	360-485-2816
Implementation:	April Amundson	Lacey, WA	360-485-2816
Enforcement:	April Amundson	Lacey, WA	360-485-2816

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

Expedited Adoption - Which of the following criteria was used by the agency to file this notice:

- Relates only to internal governmental operations that are not subject to violation by a person;
- Adopts or incorporates by reference without material change federal statutes or regulations, Washington state statutes, rules of other Washington state agencies, shoreline master programs other than those programs governing shorelines of statewide significance, or, as referenced by Washington state law, national consensus codes that generally establish industry standards, if the material adopted or incorporated regulates the same subject matter and conduct as the adopting or incorporating rule;
- Corrects typographical errors, make address or name changes, or clarify language of a rule without changing its effect;
- Content is explicitly and specifically dictated by statute;
- Have been the subject of negotiated rule making, pilot rule making, or some other process that involved substantial participation by interested parties before the development of the proposed rule; or
- Is being amended after a review under RCW 34.05.328.

Expedited Repeal - Which of the following criteria was used by the agency to file notice:

- The statute on which the rule is based has been repealed and has not been replaced by another statute providing statutory authority for the rule;
- The statute on which the rule is based has been declared unconstitutional by a court with jurisdiction, there is a final judgment, and no statute has been enacted to replace the unconstitutional statute;
- The rule is no longer necessary because of changed circumstances; or
- Other rules of the agency or of another agency govern the same activity as the rule, making the rule redundant.

Explanation of the reason the agency believes the expedited rule-making process is appropriate pursuant to RCW 34.05.353(4): Expedited rulemaking is appropriate because the amendments to WAC 192-01-001 are related to internal governmental operations that are not subject to violation by a person. The amendments assign chapters of Title 192 WAC to portions of the Long-Term Services and Supports Trust Program under the Employment Security Department's authority.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO

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Agency: Employment Security Department

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Other: Online portal: https://www.opentownhall.com/portals/289/forum_home?phase=open

AND RECEIVED BY (date) September 21, 2020

Date: July 22, 2020

Name: April Amundson

Title: Policy and Rules Manager for Long-Term Services and Supports

Signature:

