
HOUSE BILL 2883

State of Washington

64th Legislature

2016 Regular Session

By Representatives Senn, Chandler, and Ormsby; by request of Office of Financial Management

Read first time 01/25/16. Referred to Committee on State Government.

1 AN ACT Relating to government efficiency by eliminating or
2 revising the requirements for state agency reports; amending RCW
3 28B.10.029, 43.19.642, 43.43.480, 49.04.190, 50.22.157, 70.41.045,
4 72.10.020, 74.14A.060, and 79A.25.350; reenacting and amending RCW
5 34.05.328, 46.52.120, and 77.85.140; and repealing RCW 18.27.342,
6 28A.345.060, 43.22.330, 46.01.325, 43.88.500, 43.88.505, 43.88.510,
7 and 43.88.515.

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

9 **Sec. 1.** RCW 28B.10.029 and 2015 c 79 s 1 are each amended to
10 read as follows:

11 (1)(a) An institution of higher education may, consistent with
12 RCW 28B.10.925 and 28B.10.926, exercise independently those powers
13 otherwise granted to the director of enterprise services in chapters
14 43.19 and 39.26 RCW in connection with the purchase and disposition
15 of all material, supplies, services, and equipment needed for the
16 support, maintenance, and use of the respective institution of higher
17 education.

18 (b) Property disposition policies followed by institutions of
19 higher education shall be consistent with policies followed by the
20 department of enterprise services.

1 (c)(i) Except as provided in (c)(ii) and (iii) of this subsection
2 and elsewhere as provided by law, purchasing policies and procedures
3 followed by institutions of higher education shall be in compliance
4 with chapters 39.19, 39.26, and 43.03 RCW, and RCW 43.19.1917,
5 43.19.685, and 43.19.560 through 43.19.637.

6 (ii) Institutions of higher education may use all appropriate
7 means for making and paying for travel arrangements including, but
8 not limited to, electronic booking and reservations, advance payment
9 and deposits for tours, lodging, and other necessary expenses, and
10 other travel transactions based on standard industry practices and
11 federal accountable plan requirements. Such arrangements shall
12 support student, faculty, staff, and other participants' travel, by
13 groups and individuals, both domestic and international, in the most
14 cost-effective and efficient manner possible, regardless of the
15 source of funds.

16 (iii) Formal sealed, electronic, or web-based competitive bidding
17 is not necessary for purchases or personal services contracts by
18 institutions of higher education for less than one hundred thousand
19 dollars. However, for purchases and personal services contracts of
20 ten thousand dollars or more and less than one hundred thousand
21 dollars, quotations must be secured from at least three vendors to
22 assure establishment of a competitive price and may be obtained by
23 telephone, electronic, or written quotations, or any combination
24 thereof. As part of securing the three vendor quotations,
25 institutions of higher education must invite at least one quotation
26 each from a certified minority and a certified woman-owned vendor
27 that otherwise qualifies to perform the work. A record of competition
28 for all such purchases and personal services contracts of ten
29 thousand dollars or more and less than one hundred thousand dollars
30 must be documented for audit purposes.

31 (d) Purchases under chapter 39.26, 43.19, or 43.105 RCW by
32 institutions of higher education may be made by using contracts for
33 materials, supplies, services, or equipment negotiated or entered
34 into by, for, or through group purchasing organizations.

35 (e) The community and technical colleges shall comply with RCW
36 43.19.450.

37 (f) Except for the University of Washington, institutions of
38 higher education shall comply with RCW 43.19.769, 43.19.763, and
39 43.19.781.

1 (g) If an institution of higher education can satisfactorily
2 demonstrate to the director of the office of financial management
3 that the cost of compliance is greater than the value of benefits
4 from any of the following statutes, then it shall be exempt from
5 them: RCW 43.19.685 and 43.19.637.

6 (h) ~~((Any))~~ When any institution of higher education ~~((that~~
7 ~~chooses to exercise))~~ exercises its independent purchasing authority
8 for a commodity or group of commodities ~~((shall notify the director~~
9 ~~of enterprise services. Thereafter))~~, the director of enterprise
10 services shall not be required to provide those services for that
11 institution for the duration of the enterprise services contract term
12 for that commodity or group of commodities.

13 (2) The council of presidents and the state board for community
14 and technical colleges shall convene its correctional industries
15 business development advisory committee, and work collaboratively
16 with correctional industries, to:

17 (a) Reaffirm purchasing criteria and ensure that quality,
18 service, and timely delivery result in the best value for expenditure
19 of state dollars;

20 (b) Update the approved list of correctional industries products
21 from which higher education shall purchase; and

22 (c) Develop recommendations on ways to continue to build
23 correctional industries' business with institutions of higher
24 education.

25 (3) Higher education and correctional industries shall develop a
26 plan to build higher education business with correctional industries
27 to increase higher education purchases of correctional industries
28 products, based upon the criteria established in subsection (2) of
29 this section. The plan shall include the correctional industries'
30 production and sales goals for higher education and an approved list
31 of products from which higher education institutions shall purchase,
32 based on the criteria established in subsection (2) of this section.
33 Higher education and correctional industries shall report to the
34 legislature regarding the plan and its implementation no later than
35 January 30, 2005.

36 (4)(a) Institutions of higher education shall set as a target to
37 contract, beginning not later than June 30, 2006, to purchase one
38 percent of the total goods and services required by the institutions
39 each year produced or provided in whole or in part from class II
40 inmate work programs operated by the department of corrections.

1 Institutions of higher education shall set as a target to contract,
2 beginning not later than June 30, 2008, to purchase two percent of
3 the total goods and services required by the institutions each year
4 produced or provided in whole or in part from class II inmate work
5 programs operated by the department of corrections.

6 (b) Institutions of higher education shall endeavor to assure the
7 department of corrections has notifications of bid opportunities with
8 the goal of meeting or exceeding the purchasing target in (a) of this
9 subsection.

10 **Sec. 2.** RCW 34.05.328 and 2011 c 298 s 21 and 2011 c 149 s 1 are
11 each reenacted and amended to read as follows:

12 (1) Before adopting a rule described in subsection (5) of this
13 section, an agency must:

14 (a) Clearly state in detail the general goals and specific
15 objectives of the statute that the rule implements;

16 (b) Determine that the rule is needed to achieve the general
17 goals and specific objectives stated under (a) of this subsection,
18 and analyze alternatives to rule making and the consequences of not
19 adopting the rule;

20 (c) Provide notification in the notice of proposed rule making
21 under RCW 34.05.320 that a preliminary cost-benefit analysis is
22 available. The preliminary cost-benefit analysis must fulfill the
23 requirements of the cost-benefit analysis under (d) of this
24 subsection. If the agency files a supplemental notice under RCW
25 34.05.340, the supplemental notice must include notification that a
26 revised preliminary cost-benefit analysis is available. A final cost-
27 benefit analysis must be available when the rule is adopted under RCW
28 34.05.360;

29 (d) Determine that the probable benefits of the rule are greater
30 than its probable costs, taking into account both the qualitative and
31 quantitative benefits and costs and the specific directives of the
32 statute being implemented;

33 (e) Determine, after considering alternative versions of the rule
34 and the analysis required under (b), (c), and (d) of this subsection,
35 that the rule being adopted is the least burdensome alternative for
36 those required to comply with it that will achieve the general goals
37 and specific objectives stated under (a) of this subsection;

1 (f) Determine that the rule does not require those to whom it
2 applies to take an action that violates requirements of another
3 federal or state law;

4 (g) Determine that the rule does not impose more stringent
5 performance requirements on private entities than on public entities
6 unless required to do so by federal or state law;

7 (h) Determine if the rule differs from any federal regulation or
8 statute applicable to the same activity or subject matter and, if so,
9 determine that the difference is justified by the following:

10 (i) A state statute that explicitly allows the agency to differ
11 from federal standards; or

12 (ii) Substantial evidence that the difference is necessary to
13 achieve the general goals and specific objectives stated under (a) of
14 this subsection; and

15 (i) Coordinate the rule, to the maximum extent practicable, with
16 other federal, state, and local laws applicable to the same activity
17 or subject matter.

18 (2) In making its determinations pursuant to subsection (1)(b)
19 through (h) of this section, the agency must place in the rule-making
20 file documentation of sufficient quantity and quality so as to
21 persuade a reasonable person that the determinations are justified.

22 (3) Before adopting rules described in subsection (5) of this
23 section, an agency must place in the rule-making file a rule
24 implementation plan for rules filed under each adopting order. The
25 plan must describe how the agency intends to:

26 (a) Implement and enforce the rule, including a description of
27 the resources the agency intends to use;

28 (b) Inform and educate affected persons about the rule;

29 (c) Promote and assist voluntary compliance; and

30 (d) Evaluate whether the rule achieves the purpose for which it
31 was adopted, including, to the maximum extent practicable, the use of
32 interim milestones to assess progress and the use of objectively
33 measurable outcomes.

34 (4) After adopting a rule described in subsection (5) of this
35 section regulating the same activity or subject matter as another
36 provision of federal or state law, an agency must do all of the
37 following:

38 (a) Coordinate implementation and enforcement of the rule with
39 the other federal and state entities regulating the same activity or

1 subject matter by making every effort to do one or more of the
2 following:

- 3 (i) Deferring to the other entity;
- 4 (ii) Designating a lead agency; or
- 5 (iii) Entering into an agreement with the other entities
6 specifying how the agency and entities will coordinate implementation
7 and enforcement.

8 If the agency is unable to comply with this subsection (4)(a),
9 the agency must report to the legislature pursuant to (b) of this
10 subsection;

11 (b) Report to the joint administrative rules review committee:

- 12 (i) The existence of any overlap or duplication of other federal
13 or state laws, any differences from federal law, and any known
14 overlap, duplication, or conflict with local laws; and
- 15 (ii) Make recommendations for any legislation that may be
16 necessary to eliminate or mitigate any adverse effects of such
17 overlap, duplication, or difference.

18 (5)(a) Except as provided in (b) of this subsection, this section
19 applies to:

20 (i) Significant legislative rules of the departments of ecology,
21 labor and industries, health, revenue, social and health services,
22 and natural resources, the employment security department, the forest
23 practices board, the office of the insurance commissioner, and to the
24 legislative rules of the department of fish and wildlife implementing
25 chapter 77.55 RCW; and

26 (ii) Any rule of any agency, if this section is voluntarily made
27 applicable to the rule by the agency, or is made applicable to the
28 rule by a majority vote of the joint administrative rules review
29 committee within forty-five days of receiving the notice of proposed
30 rule making under RCW 34.05.320.

31 (b) This section does not apply to:

- 32 (i) Emergency rules adopted under RCW 34.05.350;
- 33 (ii) Rules relating only to internal governmental operations that
34 are not subject to violation by a nongovernment party;
- 35 (iii) Rules adopting or incorporating by reference without
36 material change federal statutes or regulations, Washington state
37 statutes, rules of other Washington state agencies, shoreline master
38 programs other than those programs governing shorelines of statewide
39 significance, or, as referenced by Washington state law, national
40 consensus codes that generally establish industry standards, if the

1 material adopted or incorporated regulates the same subject matter
2 and conduct as the adopting or incorporating rule;

3 (iv) Rules that only correct typographical errors, make address
4 or name changes, or clarify language of a rule without changing its
5 effect;

6 (v) Rules the content of which is explicitly and specifically
7 dictated by statute;

8 (vi) Rules that set or adjust fees under the authority of RCW
9 19.02.075 or that set or adjust fees or rates pursuant to legislative
10 standards, including fees set or adjusted under the authority of RCW
11 19.80.045;

12 (vii) Rules of the department of social and health services
13 relating only to client medical or financial eligibility and rules
14 concerning liability for care of dependents; or

15 (viii) Rules of the department of revenue that adopt a uniform
16 expiration date for reseller permits as authorized in RCW 82.32.780
17 and 82.32.783.

18 (c) For purposes of this subsection:

19 (i) A "procedural rule" is a rule that adopts, amends, or repeals
20 (A) any procedure, practice, or requirement relating to any agency
21 hearings; (B) any filing or related process requirement for making
22 application to an agency for a license or permit; or (C) any policy
23 statement pertaining to the consistent internal operations of an
24 agency.

25 (ii) An "interpretive rule" is a rule, the violation of which
26 does not subject a person to a penalty or sanction, that sets forth
27 the agency's interpretation of statutory provisions it administers.

28 (iii) A "significant legislative rule" is a rule other than a
29 procedural or interpretive rule that (A) adopts substantive
30 provisions of law pursuant to delegated legislative authority, the
31 violation of which subjects a violator of such rule to a penalty or
32 sanction; (B) establishes, alters, or revokes any qualification or
33 standard for the issuance, suspension, or revocation of a license or
34 permit; or (C) adopts a new, or makes significant amendments to, a
35 policy or regulatory program.

36 (d) In the notice of proposed rule making under RCW 34.05.320, an
37 agency must state whether this section applies to the proposed rule
38 pursuant to (a)(i) of this subsection, or if the agency will apply
39 this section voluntarily.

1 ~~((6) By January 31, 1996, and by January 31st of each even-~~
2 ~~numbered year thereafter, the office of regulatory assistance, after~~
3 ~~consulting with state agencies, counties, and cities, and business,~~
4 ~~labor, and environmental organizations, must report to the governor~~
5 ~~and the legislature regarding the effects of this section on the~~
6 ~~regulatory system in this state. The report must document:~~

7 ~~(a) The rules proposed to which this section applied and to the~~
8 ~~extent possible, how compliance with this section affected the~~
9 ~~substance of the rule, if any, that the agency ultimately adopted;~~

10 ~~(b) The costs incurred by state agencies in complying with this~~
11 ~~section;~~

12 ~~(c) Any legal action maintained based upon the alleged failure of~~
13 ~~any agency to comply with this section, the costs to the state of~~
14 ~~such action, and the result;~~

15 ~~(d) The extent to which this section has adversely affected the~~
16 ~~capacity of agencies to fulfill their legislatively prescribed~~
17 ~~mission;~~

18 ~~(e) The extent to which this section has improved the~~
19 ~~acceptability of state rules to those regulated; and~~

20 ~~(f) Any other information considered by the office of financial~~
21 ~~management to be useful in evaluating the effect of this section.))~~

22 **Sec. 3.** RCW 43.19.642 and 2015 1st sp.s. c 10 s 701 are each
23 amended to read as follows:

24 (1) Effective June 1, 2006, for agencies complying with the
25 ultra-low sulfur diesel mandate of the United States environmental
26 protection agency for on-highway diesel fuel, agencies shall use
27 biodiesel as an additive to ultra-low sulfur diesel for lubricity,
28 provided that the use of a lubricity additive is warranted and that
29 the use of biodiesel is comparable in performance and cost with other
30 available lubricity additives. The amount of biodiesel added to the
31 ultra-low sulfur diesel fuel shall be not less than two percent.

32 (2) Except as provided in subsection (5) of this section,
33 effective June 1, 2009, state agencies are required to use a minimum
34 of twenty percent biodiesel as compared to total volume of all diesel
35 purchases made by the agencies for the operation of the agencies'
36 diesel-powered vessels, vehicles, and construction equipment.

37 (3) All state agencies using biodiesel fuel shall, beginning on
38 July 1, ~~((2006))~~ 2016, file ~~((biannual))~~ annual reports with the

1 department of enterprise services documenting the use of the fuel and
2 a description of how any problems encountered were resolved.

3 (4) By December 1, 2009, the department of enterprise services
4 shall:

5 (a) Report to the legislature on the average true price
6 differential for biodiesel by blend and location; and

7 (b) Examine alternative fuel procurement methods that work to
8 address potential market barriers for in-state biodiesel producers
9 and report these findings to the legislature.

10 (5) During the 2011-2013, 2013-2015, and 2015-2017 fiscal
11 biennia, the Washington state ferries is required to use a minimum of
12 five percent biodiesel as compared to total volume of all diesel
13 purchases made by the Washington state ferries for the operation of
14 the Washington state ferries diesel-powered vessels, as long as the
15 price of a B5 biodiesel blend does not exceed the price of
16 conventional diesel fuel by five percent or more.

17 **Sec. 4.** RCW 43.43.480 and 2000 c 118 s 1 are each amended to
18 read as follows:

19 (1) Beginning May 1, 2000, the Washington state patrol shall
20 collect(~~(, and report semiannually to the criminal justice training~~
21 ~~commission,)) the following information:~~

22 (a) The number of individuals stopped for routine traffic
23 enforcement, whether or not a citation or warning was issued;

24 (b) Identifying characteristics of the individual stopped,
25 including the race or ethnicity, approximate age, and gender;

26 (c) The nature of the alleged violation that led to the stop;

27 (d) Whether a search was instituted as a result of the stop; and

28 (e) Whether an arrest was made, or a written citation issued, as
29 a result of either the stop or the search.

30 (2) The criminal justice training commission and the Washington
31 state patrol shall compile the information required under subsection
32 (1) of this section and make a report to the legislature no later
33 than December 1, 2000.

34 **Sec. 5.** RCW 46.52.120 and 1998 c 218 s 1 and 1998 c 165 s 10 are
35 each reenacted and amended to read as follows:

36 (1) The director shall keep a case record on every motor vehicle
37 driver licensed under the laws of this state, together with
38 information on each driver, showing all the convictions and findings

1 of traffic infractions certified by the courts(~~(, together with an~~
2 ~~index cross-reference record of each accident reported relating to~~
3 ~~such individual with a brief statement of the cause of the accident~~
4 ~~and whether or not the accident resulted in any fatality. The chief~~
5 ~~of the Washington state patrol shall furnish the index cross-~~
6 ~~reference record to the director, with reference to each driver~~
7 ~~involved in the reported accidents)).~~

8 (2) The records shall be for the confidential use of the
9 director, the chief of the Washington state patrol, the director of
10 the Washington traffic safety commission, and for such police
11 officers or other cognizant public officials as may be designated by
12 law. Such case records shall not be admitted into evidence in any
13 court, except where relevant to the prosecution or defense of a
14 criminal charge, or in case appeal is taken from the order of the
15 director, suspending, revoking, canceling, or refusing a vehicle
16 driver's license.

17 (3) The director shall tabulate and analyze vehicle driver's case
18 records and suspend, revoke, cancel, or refuse a vehicle driver's
19 license to a person when it is deemed from facts contained in the
20 case record of such person that it is for the best interest of public
21 safety that such person be denied the privilege of operating a motor
22 vehicle. The director shall also suspend a person's driver's license
23 if the person fails to attend or complete a driver improvement
24 interview or fails to abide by conditions of probation under RCW
25 46.20.335. Whenever the director orders the vehicle driver's license
26 of any such person suspended, revoked, or canceled, or refuses the
27 issuance of a vehicle driver's license, such suspension, revocation,
28 cancellation, or refusal is final and effective unless appeal from
29 the decision of the director is taken as provided by law.

30 **Sec. 6.** RCW 49.04.190 and 2006 c 161 s 4 are each amended to
31 read as follows:

32 (1) Within existing resources, the Washington state
33 apprenticeship and training council shall approve and oversee direct-
34 entry programs for graduating secondary students into building and
35 construction-related apprenticeships by:

36 (a) Assisting individual school districts in using and leveraging
37 existing resources; and

38 (b) Developing guidelines, including guidelines that ensure that
39 graduating secondary school students will receive appropriate

1 education and training and will have the opportunity to transition to
2 local apprenticeship programs. The guidelines must be developed with
3 input from apprenticeship coordinators, the office of the
4 superintendent of public instruction, the state board for community
5 and technical colleges, the workforce training and education
6 coordinating board, and other interested stakeholders for direct-
7 entry programs.

8 (2) The Washington state apprenticeship and training council
9 shall award up to ten incentive grants for the 2006-07 school year,
10 based on guidelines established under subsection (1)(b) of this
11 section, to school districts statewide solely for personnel to
12 negotiate and implement agreements with local apprenticeship programs
13 based upon state apprenticeship use requirements, as described in RCW
14 39.04.320, to accept graduating secondary school students with
15 appropriate training into apprenticeship programs. The council shall
16 make every effort to award the grants evenly across the state.

17 (3) (~~Beginning December 1, 2006,~~) For any year in which grants
18 are awarded in accordance with this section, the Washington state
19 apprenticeship and training council shall provide (~~an annual~~) a
20 report to the governor and the education and commerce and labor
21 committees of the legislature. The report shall include:

22 (a) The guidelines established under subsection (1)(b) of this
23 section;

24 (b) The names of the school districts receiving incentive grants
25 under subsection (2) of this section;

26 (c) The results of negotiations between school districts
27 receiving incentive grants and local apprenticeship programs;

28 (d) A list of apprenticeship programs that have agreed, pursuant
29 to negotiated agreements, to accept qualified graduating secondary
30 students; and

31 (e) The number of qualified graduating secondary students
32 entering into apprenticeship programs each year through direct-entry
33 programs.

34 **Sec. 7.** RCW 50.22.157 and 2011 c 4 s 15 are each amended to read
35 as follows:

36 (1) The employment security department shall report to the
37 appropriate committees of the legislature by December 1, (~~2009~~)
38 2016, and every (~~year~~) five years thereafter, on the status of the
39 training benefits program and the resulting outcomes. The report

1 shall include a survey based assessment of the employment outcomes
2 for program participants within the previous three years. The
3 department shall also include in its report:

4 (a) A demographic analysis of participants in the training
5 benefits program under this section including the number of claimants
6 per North American industry classification system code and the
7 gender, race, age, and geographic representation of participants;

8 (b) The duration of training benefits claimed per claimant;

9 (c) An analysis of the training provided to participants
10 including the occupational category supported by the training,
11 whether the training received would lead to employment in a high-
12 demand occupation, whether a degree or certificate is required in
13 that occupational category to obtain employment, those participants
14 who complete training in relationship to those that do not, the
15 number of participants who take courses in basic language, reading,
16 or writing skills to improve their employability, and the reasons for
17 noncompletion of approved training programs;

18 (d) The employment and wage history of participants, including
19 the pretraining and posttraining wage, the type of work participants
20 were engaged in prior to unemployment, and whether those
21 participating in training return to their previous employer within
22 two years of receiving training, or are employed in a field for which
23 they were retrained;

24 (e) An identification and analysis of administrative costs at
25 both the local and state level for administering this program;

26 (f) A projection of program costs for the next fiscal year; and

27 (g) The total funds obligated for training benefits, and the net
28 balance remaining to be obligated subject to the restrictions of RCW
29 50.22.140.

30 (2) The joint legislative audit and review committee is directed
31 to conduct a thorough review and evaluation of the training benefits
32 program on the following schedule:

33 (a) Three years after the implementation of the training benefits
34 portion of chapter 4, Laws of 2011 and every five years thereafter;
35 and

36 (b) In any year in which the employment security department is
37 required to suspend obligation of training benefits funds pursuant to
38 RCW 50.22.140(2), or total expenditures exceed twenty-five million
39 dollars.

1 (3) As part of the review conducted under subsection (2) of this
2 section, the joint legislative audit and review committee shall:

3 (a) Assess whether the program is complying with legislative
4 intent;

5 (b) Assess whether the program is effective;

6 (c) Assess whether the program is operating in an efficient and
7 economical manner which results in optimum performance; and

8 (d) Make recommendations on how to improve the training benefits
9 program.

10 (4) After a review of the training benefits program has been
11 completed by the joint legislative audit and review committee, the
12 appropriate committees of the legislature must hold a public hearing
13 on the review and consider potential changes to improve the program.

14 **Sec. 8.** RCW 70.41.045 and 2004 c 261 s 2 are each amended to
15 read as follows:

16 (1) Unless the context clearly requires otherwise, the
17 definitions in this subsection apply throughout this section.

18 (a) "Agency" means a department of state government created under
19 RCW 43.17.010 and the office of the state auditor.

20 (b) "Audit" means an examination of records or financial accounts
21 to evaluate accuracy and monitor compliance with statutory or
22 regulatory requirements.

23 (c) "Hospital" means a hospital licensed under chapter 70.41 RCW.

24 (d) "Survey" means an inspection, examination, or site visit
25 conducted by an agency to evaluate and monitor the compliance of a
26 hospital or hospital services or facilities with statutory or
27 regulatory requirements.

28 (2) By July 1, 2004, each state agency which conducts hospital
29 surveys or audits shall post to its agency web site a list of the
30 most frequent problems identified in its hospital surveys or audits
31 along with information on how to avoid or address the identified
32 problems, and a person within the agency that a hospital may contact
33 with questions or for further assistance.

34 (3) By July 1, 2004, the department of health, in cooperation
35 with other state agencies which conduct hospital surveys or audits,
36 shall develop an instrument, to be provided to every hospital upon
37 completion of a state survey or audit, which allows the hospital to
38 anonymously evaluate the survey or audit process in terms of quality,
39 efficacy, and the extent to which it supported improved patient care

1 and compliance with state law without placing an unnecessary
2 administrative burden on the hospital. The evaluation may be returned
3 to the department of health for distribution to the appropriate
4 agency. (~~The department of health shall annually compile the~~
5 ~~evaluations in a report to the legislature.~~)

6 (4) Except when responding to complaints or immediate public
7 health and safety concerns or when such prior notice would conflict
8 with other state or federal law, any state agency that provides
9 notice of a hospital survey or audit must provide such notice to the
10 hospital no less than four weeks prior to the date of the survey or
11 audit.

12 **Sec. 9.** RCW 72.10.020 and 2012 c 237 s 1 are each amended to
13 read as follows:

14 (1) Upon entry into the correctional system, offenders shall
15 receive an initial medical examination. The department shall prepare
16 a health profile for each offender that includes at least the
17 following information: (a) An identification of the offender's
18 serious medical and dental needs; (b) an evaluation of the offender's
19 capacity for work and recreation; and (c) a financial assessment of
20 the offender's ability to pay for all or a portion of his or her
21 health care services from personal resources or private insurance.

22 (2)(a) The department may develop and implement a plan for the
23 delivery of health care services and personal hygiene items to
24 offenders in the department's correctional facilities, at the
25 discretion of the secretary, and in conformity with federal law.

26 (b) To discourage unwarranted use of health care services caused
27 by unnecessary visits to health care providers, offenders shall
28 participate in the costs of their health care services by paying an
29 amount that is commensurate with their resources as determined by the
30 department, or a nominal amount of no less than four dollars per
31 visit, as determined by the secretary. Under the authority granted in
32 RCW 72.01.050(2), the secretary may authorize the superintendent to
33 collect this amount directly from an offender's institution account.
34 All copayments collected from offenders' institution accounts shall
35 be a reduction in the expenditures for offender health care at the
36 department.

37 (c) Offenders are required to make copayments for initial health
38 care visits that are offender initiated and, by rule adopted by the

1 department, may be charged a copayment for subsequent visits related
2 to the medical condition which caused the initial visit.

3 (d) No offender may be refused any health care service because of
4 indigence.

5 (e) At no time shall the withdrawal of funds for the payment of a
6 medical service copayment result in reducing an offender's
7 institution account to an amount less than the level of indigency as
8 defined in chapter 72.09 RCW.

9 ~~(3) ((The department shall report annually to the legislature the
10 following information for the fiscal year preceding the report: (a)
11 The total number of health care visits made by offenders; (b) the
12 total number of copayments assessed; (c) the total dollar amount of
13 copayments collected; (d) the total number of copayments not
14 collected due to an offender's indigency; and (e) the total number of
15 copayments not assessed due to the serious or emergent nature of the
16 health care treatment or because the health care visit was not
17 offender initiated.~~

18 ~~(4))~~(a) The secretary shall adopt, by rule, a uniform policy
19 relating to the distribution and replenishment of personal hygiene
20 items for inmates incarcerated in all department institutions. The
21 policy shall provide for the initial distribution of adequate
22 personal hygiene items to inmates upon their arrival at an
23 institution.

24 (b) The acquisition of replenishment personal hygiene items is
25 the responsibility of inmates, except that indigent inmates shall not
26 be denied adequate personal hygiene items based on their inability to
27 pay for them.

28 (c) The policy shall provide that the replenishment personal
29 hygiene items be distributed to inmates only in authorized quantities
30 and at intervals that reflect prudent use and customary wear and
31 consumption of the items.

32 ~~((5))~~ (4) To the extent that federal law allows and federal
33 financial participation is available, for the limited purpose of
34 implementing this section, the department, or the department's
35 designee, is authorized to act on behalf of an inmate for purposes of
36 applying for medicaid eligibility.

37 ~~((6))~~ (5) The following become a debt and are subject to RCW
38 72.09.450:

39 (a) All copayments under subsection (2) of this section that are
40 not collected when the visit occurs; and

1 (b) All charges for replenishment personal hygiene items that are
2 not collected when the item is distributed.

3 **Sec. 10.** RCW 74.14A.060 and 2011 1st sp.s. c 32 s 10 are each
4 amended to read as follows:

5 Within available funds, the secretary of the department of social
6 and health services shall support blended funding projects for youth.
7 To be eligible for blended funding a child must be eligible for
8 services designed to address a behavioral, mental, emotional, or
9 substance abuse issue from the department of social and health
10 services and require services from more than one categorical service
11 delivery system. Before any blended funding project is established by
12 the secretary, any entity or person proposing the project shall seek
13 input from the public health and safety network or networks
14 established in the catchment area of the project. The network or
15 networks shall submit recommendations on the blended funding project
16 to the private-public initiative described in RCW 70.305.020. The
17 private-public initiative shall advise the secretary whether to
18 approve the proposed blended funding project. The network shall
19 review the proposed blended funding project pursuant to its authority
20 to examine the decategorization of program funds under RCW
21 70.190.110, within the current appropriation level. The department
22 shall document the number of children who participate in blended
23 funding projects, the total blended funding amounts per child, the
24 amount charged to each appropriation by program, and services
25 provided to each child through each blended funding project (~~and~~
26 ~~report this information to the appropriate committees of the~~
27 ~~legislature by December 1st of each year, beginning in December 1,~~
28 ~~2000~~)).

29 **Sec. 11.** RCW 77.85.140 and 2009 c 518 s 9 and 2009 c 345 s 8 are
30 each reenacted and amended to read as follows:

31 (1) Habitat project lists shall be submitted to the salmon
32 recovery funding board for funding at least once a year on a schedule
33 established by the board. The board shall provide the legislature
34 with a list of the proposed projects and a list of the projects
35 funded (~~by October 1st of each year for informational purposes~~) as
36 part of the biennial report required in RCW 77.85.020. Project
37 sponsors who complete salmon habitat projects approved for funding
38 from habitat project lists and have met grant application deadlines

1 will be paid by the salmon recovery funding board within thirty days
2 of project completion.

3 (2) The recreation and conservation office shall track all funds
4 allocated for salmon habitat projects and salmon recovery activities
5 on behalf of the board, including both funds allocated by the board
6 and funds allocated by other state or federal agencies for salmon
7 recovery or water quality improvement.

8 **Sec. 12.** RCW 79A.25.350 and 2006 c 152 s 6 are each amended to
9 read as follows:

10 (1) The council shall submit (~~(an annual)~~) a biennial report of
11 its activities to the governor and the relevant policy committees of
12 the senate and house of representatives by December 15th of each
13 even-numbered year. The (~~(annual)~~) report must include an evaluation
14 of progress made in the preceding (~~(year)~~) biennium to implement or
15 carry out the strategic plan and an identification of projects from
16 the strategic plan that will be a focus for the following (~~(year)~~)
17 biennium.

18 (2) Prior to the start of the 2011 legislative session, the
19 council must prepare a report to the appropriate committees of the
20 legislature that makes recommendations as to the extension or
21 modification of the council.

22 NEW SECTION. **Sec. 13.** The following acts or parts of acts are
23 each repealed:

24 (1) RCW 18.27.342 (Report to the legislature) and 1997 c 314 s
25 19;

26 (2) RCW 28A.345.060 (Audit of staff classifications and
27 employees' salaries—Contract with the office of financial management
28 —Copies) and 2015 3rd sp.s. c 1 s 308, 2011 1st sp.s. c 43 s 467,
29 1986 c 158 s 3, & 1983 c 187 s 4;

30 (3) RCW 43.22.330 (Annual report) and 1977 c 75 s 49 & 1965 c 8 s
31 43.22.330;

32 (4) RCW 46.01.325 (Agent and subagent fees—Analysis and
33 evaluation) and 2010 1st sp.s. c 7 s 138, 2005 c 319 s 116, & 1996 c
34 315 s 3;

35 (5) RCW 43.88.500 (State boards, commissions, councils, and
36 committees—Legislative finding and declaration) and 1979 c 151 s 142
37 & 1977 c 23 s 1;

1 (6) RCW 43.88.505 (State boards, commissions, councils, and
2 committees—Compilation of list, information) and 1979 c 151 s 143 &
3 1977 c 23 s 2;

4 (7) RCW 43.88.510 (State boards, commissions, councils, and
5 committees—Submission of list and data to legislature) and 1996 c 288
6 s 42, 1987 c 505 s 37, 1979 c 151 s 144, & 1977 c 23 s 3; and

7 (8) RCW 43.88.515 (State boards, commissions, councils, and
8 committees—Agencies to submit lists, information) and 1979 c 151 s
9 145 & 1977 c 23 s 4.

--- END ---