



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (October 2017)
(Implements RCW 34.05.310)

Do **NOT** use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: March 18, 2020

TIME: 11:44 AM

WSR 20-07-124

Agency: Department of Health

Subject of possible rule making: WAC 246-337-040 Construction review services requirements. The Department of Health (department) is considering updating residential treatment facility rules to reflect upcoming changes to the Washington State Building Code. Changes may reflect classification(s) of residential treatment facility occupancy types. The department may consider amending other rules in chapter 246-337 WAC directly related to this building code change, if necessary.

Statutes authorizing the agency to adopt rules on this subject: RCW 71.12.670

Reasons why rules on this subject may be needed and what they might accomplish: The Washington Building Code Council updated its rules in WAC 51-50-0308, effective July 1, 2020 (WSR 20-01-090). The former building code classified all residential treatment facilities as Group I-1, Condition 2, occupancy type regardless of what type of service was provided in the facility. The updated building code, as of July 1, 2020, will state: "Residential treatment facilities licensed by Washington state under chapter 246-337 WAC shall be classified as one or more occupancy types in accordance with chapter 246-337 WAC".

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: Department construction review services staff have participated in the Department of Enterprise Services State Building Code Council's rulemaking project.

Process for developing new rule (check all that apply):

☐ Negotiated rule making

☐ Pilot rule making

☐ Agency study

☒ Other (describe) The department will participate in collaborative rulemaking and will notify interested stakeholders and partners about rule development meetings and rule notices and related activities through email and on the department website. A public hearing on proposed rules will be held at a later date.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:

(If necessary)

Name: John Hilger

Address: PO Box 47843, Olympia, WA 98504

Phone: 360-236-2929

Fax: 360-236-2321

TTY: 711

Email: john.hilger@doh.wa.gov

Web site: doh.wa.gov

Other:

Name:

Address:

Phone:

Fax:


TTY:

Email:

Web site:

Other:

Additional comments: Interested parties can participate in the drafting of the proposed rules. The department will be conducting a rules workshop. The department will use existing GovDelivery lists and other known contact information to inform stakeholders of opportunities to provide input on proposed rule language. To find out more information about our rulemaking, visit doh.wa.gov/BHI and to be included on an interested parties list select the "Subscribe" button at the bottom of that page.

Date: 03/18/2020	Signature: 
Name: Jessica Todorovich for John Wiesman, DrPH, MPH	
Title: Chief of Staff for Secretary of Health	