



# RULE-MAKING ORDER PERMANENT RULE ONLY

## CR-103P (December 2017) (Implements RCW 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

DATE: June 02, 2022

TIME: 9:13 AM

WSR 22-13-010

**Agency:** Employment Security Department

**Effective date of rule:**

**Permanent Rules**

- 31 days after filing.
- Other (specify) \_\_\_\_\_ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

**Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?**

- Yes  No If Yes, explain:

**Purpose:** The rules are adopted to clarify how the Employment Security Department will verify that a claimant or an individual living with them has an underlying health condition for purposes of determining (1) whether an individual has good cause to voluntarily quit employment because they or another individual with them have an underlying health condition that is identified as a risk factor for a disease that is the subject of a public health emergency or (2) whether an individual meets availability requirements when they are available for work which can be performed from the individual's home and the individual or another individual residing with them is at higher risk of severe illness or death from the disease that is the subject of the public health emergency because the high risk individual has an underlying health condition..

**Citation of rules affected by this order:**

New: WAC 192-170-015; and WAC 192-150-155  
 Repealed:  
 Amended:  
 Suspended:

**Statutory authority for adoption:** RCW 50.12.010; RCW 50.12.040; RCW 50.20.010(4)(b)(ii); RCW 50.20.050(2)(b)(xii)(C)(II)

**Other authority:**

**PERMANENT RULE (Including Expedited Rule Making)**

Adopted under notice filed as WSR 22-05-060 on February 10, 2022 (date).  
Describe any changes other than editing from proposed to adopted version: None

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

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 Address: P.O. Box 9046, Olympia, WA 98507-9046  
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 Other:

**Note: If any category is left blank, it will be calculated as zero.  
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.  
A section may be counted in more than one category.**

**The number of sections adopted in order to comply with:**

Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	<u>2</u>	Amended	___	Repealed	___

**The number of sections adopted at the request of a nongovernmental entity:**

New	___	Amended	___	Repealed	___
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**The number of sections adopted on the agency's own initiative:**

New	___	Amended	___	Repealed	___
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**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New	___	Amended	___	Repealed	___
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**The number of sections adopted using:**

Negotiated rule making:	New	___	Amended	___	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	___	Amended	___	Repealed	___

**Date Adopted:** June 2, 2022

**Name:** Dan Zeitlin

**Title:** Employment System Policy Director

**Signature:**

