

Source	Commenter	WAC Reference	Theme	Comment	Date Received
WebEx Live	Kelsey Holstrom	<u>N.S.</u> WAC 314-55-013(1)(d)	Scope: Business Advice v. Consultation	Subsection (d), Concerned that some of the things that would be under consultation could fall under the purview of business practices	5/28/2020
WebEx Live	Ryan Lee	<u>N.S.</u> WAC 314-55-013(1)(d)	Scope: Business Advice v. Consultation	General business advice outside the scope of enforcement: the purpose is to cover everything that might be general business advice	5/28/2020
WebEx Live	Kelsey Holstrom	<u>N.S.</u> WAC 314-55-013(2)	Definitions: Designee	Definition of "designee"—is there an official process to become one? Might be helpful to define	5/28/2020
WebEx Live	Lukas Hunter	<u>N.S.</u> WAC 314-55-013(2)	Definitions: Public Health and Safety	There is no definition of "Public Health and Safety." Would be helpful to clarify/provide a definition. The Cole Memorandum outlines priorities. What is within the scope of LCB Jurisdiction that would be public health and safety and be applicable?	5/28/2020
WebEx Live	Ryan Lee	<u>N.S.</u> WAC 314-55-013(2)	Definitions: Public Health and Safety	See WAC 314-55-521—lists risks to public health and safety, might be a good place to start if interested in drafting up a definition applicable to this portion of the WAC.	5/28/2020
WebEx Live	Ryan Lee	<u>N.S.</u> WAC 314-55-013(3)	Consultation request: Education & Advisory Letters	Allowing requests for a No Action/ Advisory Letter by Licensees would give the LCB more opportunities to engage in education. Licensee could lay out the facts circumstances of a given situation; "Hey, I'm doing XYZ, are these things in compliance with the WAC?" The letter can be sent to others to review, e.g. AAGs, would help relieve stress/ pressure on enforcement officers to go out each time for a consultation visit. Envision it fitting in under education/ outreach.	5/28/2020
WebEx Live	Lukas Hunter	<u>N.S.</u> WAC 314-55-013	Terminology: Enforcement Officer v LCB Agent	Is there flexibility to change some of the language from "enforcement officer" to "agent" of the LCB?	5/28/2020
WebEx Live	Lukas Hunter	<u>N.S.</u> WAC 314-55-013(3)(b)	Consultation request: Timeline for assignment	Timeline for assignment to the LCB officer—is there a policy concerning the timeline: e.g., after submission, within in 10 business days, the case will be assigned to an agent of the LCB?	5/28/2020

WebEx Live	Kelsey Holstrom	<u>N.S. WAC 314-55-013(3)</u>	Consultation request: Number of visits	Just want to pass on the concern that informal requests still not be limited to a certain number of visits per year. The consultation visit is separate from the informal requests.	5/28/2020
WebEx Live	Kelsey Holstrom	<u>N.S. WAC 314-55-013(3)</u>	Consultation request: Application form	Is there an application/ form process for requesting a consultation visit?	5/28/2020
WebEx Live	Chris Bradley	<u>N.S. WAC 314-55-013(3)</u>	Consultation request: Virtual visits	The term “visit” shows up a couple of times. Does this term contemplate virtual visits?	5/28/2020
WebEx Live	Chris Bradley	<u>N.S. WAC 314-55-013(3)</u>	Consultation request: Streamline	Right now there is a sort of tiered approach, e.g. informal requests and consultation visits. Would be good streamline the opportunities for educational interactions.	5/28/2020
WebEx Live	Ryan Lee	<u>N.S. WAC 314-55-013(3)(a)</u>	Consultation request: Number of visits	Understands the risk or running out of staff availability to respond, but would be good to guarantee at least one consultation visit per year.	5/28/2020
WebEx Live	Lukas Hunter	<u>N.S. WAC 314-55-013(4)(c)(ii)</u>	Consultation: Workplace Safety	“Licensees workplace hazards” — would suggest changing this to “evaluate the licensee's compliance concerns” (workplace hazards sounds like L&I not LCB)	5/28/2020
WebEx Live	Matthew Clark	<u>N.S. WAC 314-55-013(4)</u>	Consultation: Timeline for correction	Is there a timeline to get things identified in the letter corrected? Leaving things open-ended often means that things don’t get done. Would be a benefit to have a timeline. I would say 6 months to 1 year timeline, depending on the type of things that need to be corrected.	5/28/2020
WebEx Chat	Matthew Clark	<u>N.S. WAC 314-55-013(4)</u>	Consultation: Timeline for correction	Matthew Clark - 2:31 PM Q: To my first comment on section 4. Maybe add a line that creates an overall time limit for compliance. "No compliance date should exceed one year from the date of the initial notice." This will prevent things from being too open ended but some flexibility.	5/28/2020
WebEx Live	Ryan Lee	<u>N.S. WAC 314-55-013(4)(c)</u>	Consultation: Matters specified	Does subsection (c) mean--matters specified in the application? Could create anxiety by licensees, not knowing what “matters specified” means. Will offer up language afterwards.	5/28/2020
WebEx Live	Crystal Oliver	<u>N.S. WAC 314-55-013(4)</u>	Consultation: Timeline for correction	Also some concerns with the timeline—e.g. if I have to hire a contractor, how long do I have?	5/28/2020

WebEx Live	Crystal Oliver	<u>N.S. WAC 314-55-013(4)</u>	Consultation: Workplace Safety	Workplace Safety—It's so general, I wonder if in some areas there will be disparities in enforcement in the different regions.	5/28/2020
WebEx Live	Erik J	<u>N.S. WAC 314-55-013(4)(c)</u>	Consultation: Matters specified	Good idea to keep the language in there about asking the licensees to identify what the licensee is concerned about because if LCB does need to reach out to other agencies, L&I, etc., might make it easier to collaborate with other agencies and have agents from multiple agencies go out at the same time to address those issues.	5/28/2020
WebEx Live	Matthew Clark	<u>N.S. WAC 314-55-013(4)(c)(v) and (5)</u>	Licensee Responsibilities	Could licensees submit a report with photos to show how they've implemented the information received? (i.e. instead of a follow up in person visit?)	5/28/2020
WebEx Live	Ryan Lee	<u>N.S. WAC 314-55-013(5)</u>	Licensee Responsibilities: Education & Advisory Letters	Education—Advisory opinions could help alleviate some of the pressure on enforcement and licensees. Read those opinions and use them to understand and explain enforcement decisions.	5/28/2020
WebEx Live	Wendy Hull	<u>N.S. WAC 314-55-013</u>	Notice to Correct v. AVN Warning	Is the Notice to Correct going to be handled differently, and is it different from an AVN Warning?	5/28/2020
WebEx Live	Chris Bradley	<u>N.S. WAC 314-55-013</u>	Ways to Measure Efficacy of Program	Might be worthwhile to consider some way to measure the efficacy of the program from the viewpoint of the industry, as this program is being rolled out.	5/28/2020