

WAC 246-08-101 Declaratory orders—Format, content, and filing.

Any person may petition the department for a declaratory order, under RCW 34.05.240 with respect to the applicability of a particular circumstance of a rule, order, statute enforced by the agency. A petition for a declaratory order shall generally adhere to the following format:

(1) At the top of the page shall appear the wording "Before the Washington State Department of Health." On the left side of the page below the following caption shall be set out: "In the matter of the petition of (name of petitioning party to be inserted) for a declaratory order." Opposite the caption shall appear the word "petition."

(2) The body of the petition shall be set out in numbered paragraphs. The first paragraph shall state the name and address of the petitioning party. The second paragraph shall state all rules or statutes that may be brought into issue by the petition. Succeeding paragraphs shall set out the statement of facts similar in form to applicable complaints in civil actions before the superior courts of this state. The concluding paragraphs shall contain the request of the petitioner. The petition shall be subscribed and verified in the manner prescribed for verification of complaints in the superior courts of this state.

(3) The original and two legible copies shall be filed with the Department of Health, Adjudicative Service Unit, P.O. Box 47879, Olympia, WA 98504-7879. Petitions shall be on white paper, 8 1/2" x 11" in size.

[Statutory Authority: RCW 43.70.040, 43.70.050, 34.05.220, 42.17.250, 70.02.005. WSR 06-11-056, § 246-08-101, filed 5/11/06, effective 6/11/06. Statutory Authority: RCW 43.70.040. WSR 93-13-005 (Order 369), § 246-08-101, filed 6/3/93, effective 7/4/93.]