



# PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (June 2004)**  
(Implements RCW 34.05.310)  
Do NOT use for expedited rule making

**Agency:** Department of Social and Health Services, Aging and Disability Services Administration

**Subject of possible rule making:**

WAC 388-513-1315, Eligibility for long-term care (institutional, waiver, and hospice) services  
WAC 388-513-1320, Determining institutional status for long-term care (LTC) services

The department may adopt and amend other rules as necessary.

**Statutes authorizing the agency to adopt rules on this subject:**

RCW 74.04.050; 74.04.057; 74.08.090; 74.09.500; 74.09.530, and 74.09.575

**Reasons why rules on this subject may be needed and what they might accomplish:**

- DSHS is clarifying institutional status for person(s) under the age of 18 receiving inpatient mental health treatment.
- DSHS is clarifying institutional status for person(s) age 18 through 20 in a psychiatric facility.
- DSHS is clarifying WAC to match federal rules regarding institutional status.
- DSHS is adding information in WAC 388-513-1315 regarding excess home equity in primary residence, disclosure of annuity requirement, and request for LTC services for SSI recipients, per Deficit Reduction Act (DRA) requirements.
- DSHS is clarifying those not meeting citizenship requirements of Medicaid are not eligible for Waiver programs.
- DSHS is updating WAC references and clarifying language.

The department may adopt and amend other rules on this subject as necessary.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:**

N/A

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

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe)

The department invites the interested public to review and provide input on the draft language of this rule. Draft material and information about how to participate may be obtained from the department representative listed below.

**How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:**

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.) Contact:

Lori Rolley  
Home and Community Services  
P.O. Box 45600  
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Phone: 360-725-2271 Fax: 360-407-7582  
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**DATE**  
June 17, 2008

**NAME (TYPE OR PRINT)**  
Stephanie Schiller

**SIGNATURE**

**TITLE**  
DSHS Rules Coordinator

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DATE: June 17, 2008  
TIME: 5:02 PM

**WSR 08-13-089**