



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:

The department is amending WAC 388-561-0300, Life Estates. 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; Deficit Reduction Act of 2005; Social Security Act

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

DSHS is amending WAC 388-561-0300 as follows:

- Adding language per section 6016(d) of the Deficit Reduction Act of 2005. This amendment provides that unless an individual purchasing a life estate in another individual's home actually resides there for a period of at least one year after the date of the purchase, the transaction shall be treated as a transfer of asset.
- Improving the clarity and readability of the rule.
- DSHS may break up the WAC by creating a new rule, WAC 388-561-0301, regarding Life Estates.

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:

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TITLE	DSHS Rules Coordinator

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<div style="border: 1px solid black; padding: 10px;"> <p style="text-align: center;">OFFICE OF THE CODE REVISER STATE OF WASHINGTON FILED</p> <p>DATE: October 21, 2008 TIME: 3:05 PM</p> <p>WSR 08-21-151</p> </div>	