



# 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 388-561-0200, Annuities; and adopting New WAC 388-561-0201, Annuities purchased on or after April 1, 2009. (This is the proposed effective date of the new WAC. The title of the WAC may change if the adoption date is different.)

This rule making amends rules and changes the effective date of rules adopted as WSR 08-20-117. 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

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

Amendments are necessary to meet the requirements of section 6012 of the Deficit Reduction Act (DRA) of 2005. Section 6012 added new requirements to title XIX of the Social Security Act pertaining to the treatment of annuities. WAC 388-561-0200 is being amended to include the new requirements of the DRA, clarify language, and update WAC references.

The department is creating WAC 388-561-0201 for new rules regarding annuities purchased on or after the effective date of the WAC.

**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 on 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**  
October 21, 2008

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

**SIGNATURE**

**TITLE**  
Rules and Policies Assistance Unit

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