



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 388-513-1301, Definitions related to long-term care (LTC) services; and
WAC 388-513-1350, Defining the resource standard and determining resource eligibility for long-term care (LTC) services

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 amending WAC 388-513-1301 and 388-513-1350 as follows:

- Increasing the state spousal resource maximum from \$45,104, based on RCW 74.09.575. The maximum resource allowance amount for the community spouse shall be adjusted by the consumer price index every other odd year on July 1, and will be effective 7/1/2009. DSHS will continue to point to the internet long-term care standards chart for current resource standards starting 7/1/2009, and every odd year thereafter at:
<http://www.dshs.wa.gov/manuals/eaz/sections/LongTermCare/LTCstandardspna.shtml>
- Updating the federal maximum community spouse resource standard to \$109,500, effective 1/1/2009. This standard increases annually on January 1 based on the consumer price index. DSHS will continue to point to the internet long-term care standards chart for current resource standards starting 1/1/2009 and each year thereafter at:
<http://www.dshs.wa.gov/manuals/eaz/sections/LongTermCare/LTCstandardspna.shtml>
- Proposing changes due to the long-term care partnership program;
- Updating definitions of certain terms used in Chapters 388-513 and 388-515 WAC. Within these chapters, institutional, waiver, and hospice services are referred to collectively as long-term care services.

Other policy changes on these subjects may be incorporated into this rule making. Other WAC chapters may need to be updated as a result of this rule making.

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)

DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the Office of the Code Reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

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
Olympia, WA 98504-5600
Phone: 360-725-2271 Fax: 360-407-7582
E-mail: rollej@dshs.wa.go

DATE
November 12, 2008

NAME (TYPE OR PRINT)
Stephanie Schiller

SIGNATURE

TITLE
DSHS Rules Coordinator

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED
DATE: November 12, 2008
TIME: 2:15 PM
WSR 08-23-041