



# 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:**

Amending WAC 388-513-1340, Determining excluded income for long-term care (LTC) services; and  
Amending WAC 388-513-1345, Determining disregarded income for institutional or hospice services under the medically needy (MN) program.

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; Social Security Act Sec. 1611, 1902; 42 CFR § 435.725

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

DSHS is amending WAC 388-513-1340 and 388-513-1345 as follows:

- Adding interest or dividend income as an exclusion, except for the community spouse of an institutionalized client.
- Adding current child support payments received from an absent parent for a minor child who is not institutionalized.
- Correcting language regarding Department of Veterans Affairs (VA) benefits for those living in state VA facilities. This change is based on the state plan amendment as clarified by CMS.
- Removing exclusions based on federal rules.

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)

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  
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P.O. Box 45600  
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**DATE**  
December 19, 2008

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

**SIGNATURE**

**TITLE**  
DSHS Rules Coordinator

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STATE OF WASHINGTON  
FILED

**DATE: December 22, 2008**  
**TIME: 5:55 AM**

**WSR 09-01-142**