



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

Subject of possible rule making: The department is considering amending the following rules in chapter 388-97 WAC, Nursing Homes:

WAC 388-97-0001 Definitions; WAC 388-97-0100 Utilization review; 388-97-0280 Advance directives; WAC 388-97-0580 Roomates/room; WAC 388-97-0720 Notification of preliminary finding; WAC 388-97-1400 through WAC 388-97-1600 Tuberculosis-Testing method Required through Care of residents with active tuberculosis; WAC 388-97-1800 Criminal history disclosure and background inquiries; WAC 388-97-1820 Disqualification from nursing home employment; WAC 388-97-1900 Dialysis services; WAC 388-97-2060 New construction compliance; WAC 388-97-2280 Call systems on resident care units; WAC 388-97-3820 Stairways, ramps, and corridors in new construction; WAC 388-97-4200 Department review of initial nursing home license applications; WAC 388-97-4220 Reasons for denial, suspension, modification, revocation of, or refusal to renew a nursing home license; WAC 388-97-4320 Relocation of residents; WAC 388-97-4340 License relinquishment; WAC 388-97-4440 Notice and appeal rights and other related rules as appropriate.

The department is considering a new section on liability insurance and other related rules as appropriate. Also will be removing incorrect statutory authority reference in the footnote in all sections of the chapter 388-97 WAC.

Statutes authorizing the agency to adopt rules on this subject:

Chapters 18.51 and 74.42 RCW

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

The purpose of amending these rules is to consider making editorial and clarifying changes, and to make it consistent with current laws and standards.

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

Centers for Medicare and Medicaid Services

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. 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.) Anyone interested should contact the staff person identified below.

Contact:

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Draft section language will be posted on ADSA Professional internet webpage for review and comment prior to filing the CR-102. Anyone from the public can comment directly to the Program Manager listed above via phone, email or fax.

DATE	June 29, 2009
NAME (TYPE OR PRINT)	Stephanie Schiller
SIGNATURE	
TITLE	DSHS Rules Coordinator

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OFFICE OF THE CODE REVISER STATE OF WASHINGTON FILED
DATE: June 29, 2009 TIME: 2:35 PM
WSR 09-14-070