



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:
Chapter 388-513 WAC, Client not in own home – Institutional Medical, and
Chapter 388-515 WAC, Alternative living – Institutional Medical.

Statutes authorizing the agency to adopt rules on this subject:
RCW 74.04.050; 74.04.057; 74.08.090; 74.09.500; and 74.09.530

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

DSHS is amending Chapters 388-513 and 388-515 WAC as follows:

- Add a sentence in WAC 388-515-1509 allowing the Federal Poverty Level (FPL) as a personal needs allowance (PNA) for a married individual receiving a Home & Community based Waiver, living at home but apart from the community spouse (CS);
- Clarify allocation/deeming for a dependent child;
- Clarify language in WAC 388-513-1395, incurred medical expenses must reduce resources within allowable limits for medically needy (MN);
- Clarify eligibility when excess resources and third party resource exceed the cost of care;
- Add language regarding long-term care partnerships approved by the Washington State Insurance Commissioner;
- Updating references and changing language for readability;
- Re-writing WAC 388-513-1363 by creating a new section that includes language from the emergency WAC in place from 5/1/2006 through 9/30/2007 for clarity.

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:

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DATE
October 28, 2009

NAME (TYPE OR PRINT)
Stephanie Vaughn

SIGNATURE

TITLE
DSHS Rules Coordinator

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STATE OF WASHINGTON
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