



# RULE-MAKING ORDER

**CR-103P (May 2009)**  
**(Implements RCW 34.05.360)**

**Agency:** Department of Social and Health Services, Aging and Disability Services Administration

**Permanent Rule Only**

**Effective date of rule:**

**Permanent Rules**

- 31 days after filing.
- Other (specify) \_\_\_\_\_ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

**Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?**

- Yes
  - No
- If Yes, explain:

**Purpose:**

Recently enacted 2SHB 1935 increased the application processing and yearly license fees for adult family home applicants and providers. The new fees had to be implemented by July 26, 2009. The impact of the proposed rule is to make the rule clearer, easier to read, understand, and apply.

**Citation of existing rules affected by this order:**

Repealed: None  
 Amended: WAC 388-76-10025, WAC 388-76-10070  
 Suspended: None

**Statutory authority for adoption:** RCW 70.128.040

**Other authority:** N/A

**PERMANENT RULE (Including Expedited Rule Making)**

Adopted under notice filed as WSR 09-18-118 on Sept 2, 2009.  
 Describe any changes other than editing from proposed to adopted version: none

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting: Not applicable

Name: \_\_\_\_\_ phone ( ) \_\_\_\_\_  
 Address: \_\_\_\_\_ fax ( ) \_\_\_\_\_  
 e-mail \_\_\_\_\_

**Date adopted:**

October 12, 2009

**NAME (TYPE OR PRINT)**

Stephanie Vaughn

**SIGNATURE**

**TITLE**

DSHS Rules Coordinator

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

DATE: October 16, 2009  
TIME: 1:00 PM

**WSR 09-21-075**

(COMPLETE REVERSE SIDE)

**Note: If any category is left blank, it will be calculated as zero.  
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.  
A section may be counted in more than one category.**

**The number of sections adopted in order to comply with:**

<b>Federal statute:</b>	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
<b>Federal rules or standards:</b>	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
<b>Recently enacted state statutes:</b>	New	<u>1</u>	Amended	<u>2</u>	Repealed	<u>0</u>

**The number of sections adopted at the request of a nongovernmental entity:**

New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
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**The number of sections adopted in the agency's own initiative:**

New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
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**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
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**The number of sections adopted using:**

<b>Negotiated rule making:</b>	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
<b>Pilot rule making:</b>	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
<b>Other alternative rule making:</b>	New	<u>1</u>	Amended	<u>2</u>	Repealed	<u>0</u>

AMENDATORY SECTION (Amending WSR 07-21-080, filed 10/16/07, effective 1/1/08)

**WAC 388-76-10025 License annual fee.** (1) The adult family home must pay an annual license fee (~~((is fifty dollars per adult family home per year))~~) as required in chapter 70.128 RCW.

(2) The home must send the annual license fee to the department upon receipt of notice of fee due.

~~((3) If the department does not renew the license, the annual license fee is refundable.))~~

AMENDATORY SECTION (Amending WSR 07-21-080, filed 10/16/07, effective 1/1/08)

**WAC 388-76-10070 Application--Fees required.** (1) The applicant must (~~send a one hundred dollar fee with the application form:~~

~~(a) Fifty dollars of this fee is the application processing fee; and~~

~~(b) Fifty dollars is the annual license fee))~~ pay all processing and license fees established by chapter 70.128 RCW.

(2) The applicant must submit the required fees with the application form.

(3) The processing fee will be returned as required by chapter 70.128 RCW.

(4) The ~~((fifty dollar annual))~~ license fee will be returned to the applicant ~~((by the department))~~ if the application is withdrawn, voided or the license is denied.

NEW SECTION

**WAC 388-76-10073 Application--Processing fees required.** The processing fee, required in chapter 70.128 RCW, applies to any application submitted to the department, including but not limited to an application for licensure, change of ownership, or a change of location.