STATE OF WASHINGTON
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Home and Community Living Administration
P.O. Box 45600 • Olympia, Washington 98504

December 12, 2025

HCLA: AFH #2025-049
ALF #2025-049
ESF #2025-036

HOME AND COMMUNITY BASED SERVICES RULEMAKING: CONTACT INFORMATION FOR LEGAL SERVICES, LTC OMBUDS AND UPDATED DSHS FORMS

Dear Provider/Administrator:

This letter is to share resource information related to new rules for Adult Family Homes (AFH), Assisted Living Facilities (ALF) and Enhanced Services Facilities (ESF) effective January 1, 2026. This information includes:

- Contact number for legal services that will be available to Medicaid residents who receive a notice of transfer or discharge after January 1, 2026.
- Email address and efax for the Long-Term Care Ombuds (LTC Ombuds).
- DSHS form updates, including optional Residency Agreement Language form and Notice of Transfer or Discharge form.

In August 2025 the department announced the adoption of new rules to comply with federal Home and Community Based Settings (HCBS) requirements. These rules go into effect January 1, 2026, and require AFH, ALF, and ESF to have a “residency agreement” with residents who have Medicaid as a payor. The purpose of the agreement is to provide resident protections for eviction and appeals comparable to the Residential Landlord Tenant Act. AFH, ALF, and ESF must also provide written notice to Medicaid residents of their right to legal assistance when issuing a notice of transfer or discharge.

Resident Legal Services Information

When issuing a notice of transfer or discharge to a resident with Medicaid, AFH, ALF, and ESF must include a contact number for legal services agencies to provide support to the resident at public expense. The Long-Term Care Resident Discharge Defense Screening Line phone number is **(888) 437-0017**. (**This number will be effective**

January 5, 2026.) For residents with Medicaid, AFH, ALF, and ESF must include this phone number in their discharge notices and in their residency agreements.

Long-Term Care Ombuds Information
AFH, ALF, and ESF must send a copy of the notice of transfer or discharge within three calendar days to the LTC Ombuds. **The LTC Ombuds has a new email address for this purpose: Discharges@mschelps.org.** Facilities may also send the notice by efax to (253) 216-3699 (long-distance charges may apply).

AFH, ALF, and ESF must send a copy of the notice of transfer or discharge within three calendar days to the DSHS case manager. Use your established methods to send a copy of the notice to the DSHS case manager.

Website Update
You can also find the resident legal services phone number and the LTC Ombuds email address and efax on the provider pages for each setting type, under "Announcements".

Forms Update
The department has updated the following **OPTIONAL** forms for use by AFH, ALF, and ESF:

- Residency Agreement Language (DSHS 16-302) Word / PDF
- AFH/ALF/ESF Notice of Transfer or Discharge (DSHS 15-458) Word / PDF (available by Jan 1, 2026). **The current version, an AFH form, is still posted. Make sure to use the updated version beginning January 1, 2026**.
- Individual Home and Community Based Settings (HCBS) Checklist for Residential Provider Resource (DSHS 16-280) Word / PDF.
- Adult Family Home/Assisted Living Facility/Enhanced Services Facility Admission Agreement(s) Attestation (DSHS 10-270) Word / PDF.

The adopted rules have requirements beyond those discussed in this letter. Please review the links below to learn more and find out what you must do to comply with the rules. The department held three information sessions about these rules in September and October. You can find the slide show and compiled questions on the above-referenced provider pages (websites) for each facility type.

If you have questions about the new rules, please contact rcspolicy@dshs.wa.gov or call 564-999-3182.

If you have questions about the residency agreement language form, please contact hcsresidentialpolicy@dshs.wa.gov.

Sincerely,

Amy Abbott, Director
Residential Care Services

Catherine Kinnaman, Director
Home and Community Services

Kris Pederson, Director
Developmental Disabilities Community Services

DSHS: *"Partnering with People"*

Links:
Provider letter: AFH #2025-037 ALF #2025-035 ESF #2025-023
HCBS_CR 103 Implementation FAQ.pdf
Information for Adult Family Home Providers | DSHS
Information for Assisted Living Facility Professionals | DSHS
Enhanced Services Facilities | DSHS