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

January 14, 2026

HCLA: ALF #2026-005
HCLA: NH #2026-002
HCLA: ESF #2026-004

CR 103P ASSISTED LIVING FACILITY, NURSING HOMES AND ENHANCED SERVICES FACILITIES RULE FILING

Dear Provider/Administrator:

This message is to announce the filing of a CR-103P, Rule-making Order (Permanent Rule) amending Chapter 388-78A WAC, Assisted Living Facility Licensing Rules, Chapter 388-97 WAC, Nursing Homes, and Chapter 388-107 WAC, Licensing Requirements for Enhanced Services Facilities.

On October 21, 2025, the department filed the CR-102 with the Office of the Code Reviser (WSR 25-21-132) to propose rules for adoption and announce the formal public comment period on the proposed rules. A public hearing on the proposed rules was held November 25, 2025. RCS did not receive any comments during the public comment period. A Concise Explanatory statement can be found at the link here.

These rules implement Engrossed Substitute House Bill 1218, Chapter 159, Laws of 2021 and were originally proposed with a number of other new rules and amendments, which the department adopted. The rule text changed significantly after the original proposal. The changes reflect the interested parties' work and the elements required by ESHB 1218 Chapter 159, Laws of 2021. The adopted changes expand definitions and examples of disasters and add requirements for emergency preparedness plans that address infection control, personal protective equipment, employee training and communication as part of emergency preparedness.

The Department of Social and Health Services (Department) filed the CR-103P, Rule-making Order (WSR 26-05-045) on January 2, 2026, to announce the adoption of the proposed rules. These rules go into effect on February 2, 2026. The permanent rule won't appear online for at least two weeks after the full text of the rule is published in the Washington State Register.

For questions about this filing, please contact Colleen Jensen, Policy Program Manager, at 564-999-3182 or rcspolicy@dshs.wa.gov.

Sincerely,

Amy Abbott, Director
Residential Care Services
DSHS: *"Partnering with People"*