STATE OF WASHINGTON
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Home and Community Living Administration
PO Box 45600 Olympia, WA 98504-5600

January 12, 2026

HCLA: AFH #2026-003
HCLA: ALF #2026-003
HCLA: ESF #2026-002

LEGAL SERVICES RECORDS REQUEST AND COMMUNICATION CONSENT FORM RELATED TO NOTICE OF TRANSFER OR DISCHARGE OF RESIDENTS WITH MEDICAID IN ADULT FAMILY HOME, ASSISTED LIVING FACILITY, AND ENHANCED SERVICES FACILITIES

Dear Provider/Administrator:

The Department of Social and Health Services (DSHS) recently shared resource information related to new rules for Adult Family Homes (AFH), Assisted Living Facilities (ALF) and Enhanced Services Facilities (ESF) effective January 1, 2026, related to residents with Medicaid. The Office of Civil Legal Aid (OCLA) contracts with attorneys to support residents in AFH, ALF, and ESF who receive a notice of transfer or discharge. This letter is to make you aware of a standardized release form that will be used by the legal services providers representing residents with Medicaid in response to notice of transfer or discharge.

Beginning January 5, 2026, when a resident with Medicaid receives a notice of transfer or discharge from an AFH, ALF, or ESF, the resident may contact the legal services phone number listed on the notice in response to the transfer or discharge. When the contracted legal services providers begin working with a resident to help resolve the issues, they will provide the resident an “AUTHORIZATION FOR COMMUNICATION AND RELEASE OF RESIDENT RECORDS” form so the resident’s attorney can receive relevant records and communicate with the AFH, ALF, or ESF. The form is attached to page two of this letter, under “References”.

We are sharing this information to promote a smooth communication process and earlier resolution for residents and facilities. When presented with the authorization form signed by the resident or their representative, AFHs, ALFs, and ESFs need to respond by providing requested records, consistent with WAC for the licensed setting.

For questions related to the new rules, please contact RCSPolicy@dshs.wa.gov.

Sincerely,

Amy Abbott, Director
Residential Care Services

DSHS: *“Partnering with People”*

References:

Legal Counsel for Long-Term Care Uniform Release of Information

WAC 388-76-10315
WAC 388-76-10320
WAC 388-78A-2400
WAC 388-78A-2410
WAC 388-107-0560

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