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

08/24/2026

HCLA: AFH #2026-034
CR 103P, Rule Making Order (Permanent Rule), Amending Chapter 388-76 WAC
AFH License, Resident Records, Physical Plant, and Inspections

Dear Adult Family Home Provider:

The Department of Social and Health Services (department) filed a CR-103P, Rule-Making Order (Permanent Rule), amending Chapter 388-76 WAC (Adult Family Home Minimum Licensing Requirements). The department is amending and repealing sections of this chapter.

On April 2, 2026, the department filed a CR-102 with the Office of the Code Revisor (WSR 26-09-013) to propose rules for adoption and to announce the formal public comment period on the proposed rules. A public hearing was held on May 26, 2026, and the department received comments on the proposed changes. The department did not make changes in response to the comments. Amendments to WAC 388-76-10037, concerning multiple adult family homes, will be filed separately to coincide with RCS tracking system updates in early 2027. Minor edits were made to WAC 388-76-10120(4), removing the reference to WAC 388-76-10037. An effective date was added to WAC 388-76-10715(6), which was not yet determined when the proposed rules were filed. You can find a copy of the Concise Explanatory Statement here with more information.

Effective September 20, 2026, the adopted changes will:

- (Petition) Update WAC 388-76-10315 to refer to RCW 70.129.090, aligning with state and federal requirements for long-term care ombuds access to resident records.
- (Petition) Change emergency evacuation drill frequency in WAC 388-76-10895 from every “sixty days” to every “two months” to make the calculation of days in between drills less burdensome to providers.
- Repeal WAC 388-76-10045, removing the responsibility of Residential Care Services to determine conflict of interest for DSHS employees (who are already required to report outside employment to their employer) and their household members.
- Clarify that an adult family home license “must” be denied to a multiple home provider who does not meet the requirements (rather than “may” be denied).

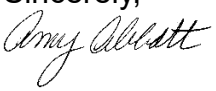
WAC 388-76-10125 is updated to remove this content and WAC 388-76-10120 includes an added subsection (4), which refers to RCW 70.128.065.

- Remove the requirement in WAC 388-76-10320 for the resident record to contain the resident's social security number. (Providers may retain it in the record if it is helpful, but it is not required.)
- Add a requirement in WAC 388-76-10320 to keep the notice of rights and services and signed acknowledgement in the resident record, as is required in other sections of the chapter.
- Add a new subsection (6) to WAC 388-76-10715: For homes licensed after September 20, 2026, adds a minimum interior door width of 27 inches for interior doors residents will pass through that are not designated as an emergency exit.
- Adds a new subsection (14) to WAC 388-76-10685 requiring the adult family home to notify RCS and receive approval prior to a resident occupying a bedroom that has been modified or was constructed after licensure.
- Update WAC 388-76-10930 to make the language clearer related to provider plan of correction and add new language that the section does not apply when RCS takes action to summarily suspend or revoke an adult family home license.

The adopted rules will be published in the Washington State Register under WSR 26-17-004. The permanent rule change will not appear online for at least two weeks after the rule is published in the Washington State Register.

If you have any questions, please 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"*