



RULE-MAKING ORDER

CR-103E (July 2011)
(Implements RCW 34.05.350)

Agency: Department of Social and Health Services, Aging and Long-Term Support Administration

Emergency Rule Only

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) June 24, 2017

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

- Yes
 - No
- If Yes, explain:

Purpose:

The department is amending these rules to implement the nursing facility methodology changes from SHB 1274, found in Chapter 2, Laws of 2015, 2015 2nd Special Session.

Citation of existing rules affected by this order:

Repealed: WAC 388-96-540, WAC 388-96-552, WAC 388-96-553, WAC 388-96-554, WAC 388-96-558, WAC 388-96-559, WAC 388-96-561, WAC 388-96-562, WAC 388-96-564, WAC 388-96-565, WAC 388-96-572, WAC 388-96-574, WAC 388-96-708, WAC 388-96-744, WAC 388-96-746, WAC 388-96-747, WAC 388-96-748, WAC 388-96-759, WAC 388-96-762, WAC 388-96-767, WAC 388-96-776, WAC 388-96-783, WAC 388-96-784, WAC 388-96-786

Amended: WAC 388-96-010, WAC 388-96-022, WAC 388-96-107, WAC 388-96-205, WAC 388-96-208, WAC 388-96-211, WAC 388-96-218, WAC 388-96-505, WAC 388-96-525, WAC 388-96-534, WAC 388-96-542, WAC 388-96-556, WAC 388-96-560, WAC 388-96-580, WAC 388-96-585, WAC 388-96-709, WAC 388-96-710, WAC 388-96-713, WAC 388-96-758, WAC 388-96-781, WAC 388-96-782, WAC 388-96-901

Suspended: None

Statutory authority for adoption:

RCW 74.46.800, RCW 74.46.561(1)

Other authority:

EMERGENCY RULE

Under RCW 34.05.350 the agency for good cause finds:

- That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.
- That in order to implement the requirements or reductions in appropriations enacted in any budget for fiscal year 2009, 2010, 2011, 2012, or 2013, which necessitates the need for the immediate adoption, amendment, or repeal of a rule, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the fiscal needs or requirements of the agency.

Reasons for this finding:

The statute has a deadline for the new rules of July 1, 2016. There was not enough time to complete a formal rule making process in the time allowed. The department has been working with stakeholders on amended language. A public hearing was held June 6, 2017. Comments are being reviewed and addressed.

Date adopted:

June 20, 2017

NAME (TYPE OR PRINT)

Katherine Vasquez

SIGNATURE

TITLE

DSHS Rules Coordinator

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: June 22, 2017

TIME: 4:37 PM

WSR 17-14-016

**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:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	<u>3</u>	Amended	<u>22</u>	Repealed	<u>24</u>

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

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in the agency's own initiative:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	<u>3</u>	Amended	<u>22</u>	Repealed	<u>24</u>