



**STATE OF WASHINGTON**  
**DEPARTMENT OF SOCIAL AND HEALTH SERVICES**  
*Aging and Long-Term Support Administration*  
*PO Box 45600, Olympia, WA 98504-5600*

October 6, 2017

**AL TSA: AFH #2017-009**  
**CR-101 FILED TO PROPOSE AMENDING SECTIONS**  
**TO CHAPTER 388-76 WAC**

Dear Adult Family Home Provider:

The department is proposing to amend sections in chapter 388-76 WAC for Adult Family Homes related to the definition of "willful". The CR-101 document was recently filed with the Office of the Code Reviser.

The department is amending WAC 388-76-10000 to strike the term "willful" from the definition list. This is the result of an order by the Division III Court of Appeals in *Crosswhite v. DSHS*, invalidating the current definition of "willful".

The CR-101 document ([WSR 17-19-104](#)) can be found at the Aging and Long Term Services Administration (AL TSA) internet website at <https://www.dshs.wa.gov/altsa/residential-care-services/information-adult-family-home-providers> under "AFH Rule Filings".

The department's purpose in filing the CR-101 is to add, appeal or amend sections to Chapter 388-78A WAC.

- These rules are required by federal or state law or required to maintain federally delegated or authorized programs.

For rule making questions, please contact Claudia Baetge, Long Term Care Policy Program Manager, at (360) 725-2589 or [claudia.baetge@dshs.wa.gov](mailto:claudia.baetge@dshs.wa.gov).

Sincerely,

Candace Goehring, Director  
Residential Care Services

*"Transforming Lives"*