



RULE-MAKING ORDER PERMANENT RULE ONLY

CR-103P (December 2017) (Implements RCW 34.05.360)

CODE REVISER USE ONLY

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STATE OF WASHINGTON
FILED

DATE: November 06, 2018

TIME: 9:28 AM

WSR 18-22-106

Agency: Department of Social and Health Services, Developmental Disabilities Administration

Effective date of rule:

Permanent Rules

- 31 days after filing.
- Other (specify) _____ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

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

- Yes No If Yes, explain:

Purpose: The Developmental Disabilities Administration (DDA) is amending chapter 388-829C WAC "Companion Homes" to make several policy updates to how residential habilitation services are delivered in the companion home setting. These amendments are necessary because these rules have not been updated in seven or more years. Substantive changes to the companion home rules address the following subjects: the application and certification processes to become a companion home provider; the process for determining the provider's daily rate; provider responsibilities while using respite; the process for determining a companion home client's annual respite allocation; when a companion home provider may request additional respite hours; the effect of additional respite hours on the provider's daily rate; violations of the room and board agreement; requiring an individual financial plan; transferring client funds; protecting clients from water hazards; records the provider must maintain; and informal dispute resolution processes. Most of the chapter has been rewritten to clarify requirements and some sections have been repealed and their content added to other sections.

Citation of rules affected by this order:

New: WAC 388-829C-042, WAC 388-829C-044, WAC 388-829C-061, WAC 388-829C-062, WAC 388-829C-063, WAC 388-829C-064, WAC 388-829C-065, WAC 388-829C-066, WAC 388-829C-131, WAC 388-829C-231, WAC 388-829C-232, WAC 388-829C-233, WAC 388-829C-234, WAC 388-829C-275, WAC 388-829C-305, WAC 388-829C-315, WAC 388-829C-325, WAC 388-829C-345, WAC 388-829C-449, WAC 388-829C-492, WAC 388-829C-494

Repealed: WAC 388-829C-005, WAC 388-829C-060, WAC 388-829C-090, WAC 388-829C-120, WAC 388-829C-130, WAC 388-829C-190, WAC 388-829C-210, WAC 388-829C-220, WAC 388-829C-240, WAC 388-829C-260, WAC 388-829C-300, WAC 388-829C-420, WAC 388-829C-430, WAC 388-829C-440, WAC 388-829C-445, WAC 388-829C-470, WAC 388-829C-500

Amended: WAC 388-829C-010, WAC 388-829C-020, WAC 388-829C-030, WAC 388-829C-040, WAC 388-829C-050, WAC 388-829C-070, WAC 388-829C-080, WAC 388-829C-110, WAC 388-829C-140, WAC 388-829C-150, WAC 388-829C-160, WAC 388-829C-170, WAC 388-829C-180, WAC 388-829C-200, WAC 388-829C-230, WAC 388-829C-250, WAC 388-829C-270, WAC 388-829C-280, WAC 388-829C-290, WAC 388-829C-310, WAC 388-829C-320, WAC 388-829C-330, WAC 388-829C-340, WAC 388-829C-350, WAC 388-829C-360, WAC 388-829C-370, WAC 388-829C-380, WAC 388-829C-390, WAC 388-829C-400, WAC 388-829C-410, WAC 388-829C-450, WAC 388-829C-460, WAC 388-829C-480, WAC 388-829C-490

Suspended: None

Statutory authority for adoption: RCW 71A.12.030

Other authority: RCW 71A.10.020, RCW 71A.12.040

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 18-17-155 on August 21, 2018 (date).

Describe any changes other than editing from proposed to adopted version: DDA removed subsection (1)(h) from WAC 388-829C-044, which required a companion home provider to submit a background check form to DDA. The form is now completed electronically through the department's new online background check system, so the provider does not have to submit a paper form to DDA. The information in the form is still required as part of a companion home provider's application.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name: Chantelle Diaz
 Address: P.O Box 45310, Olympia, WA 98504-5310
 Phone: 360-407-1589

Fax: 360-407-0955
TTY: 1-800-833-6388
Email: Chantelle.Diaz@dshs.wa.gov
Web site:
Other:

**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	___	Amended	___	Repealed	___

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

New	___	Amended	___	Repealed	___
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The number of sections adopted on 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	<u>21</u>	Amended	<u>34</u>	Repealed	<u>17</u>
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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>21</u>	Amended	<u>34</u>	Repealed	<u>17</u>

Date Adopted: November 5, 2018

Name: Cheryl Strange

Title: DSHS Secretary

Signature:

