



# PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (June 2004)**  
(Implements RCW 34.05.310)  
Do NOT use for expedited rule making

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

**Subject of possible rule making:**

The department is considering amending and repealing the following sections in chapter 388-78A WAC, Assisted Living Facility Licensing Rules: WAC 388-78A-3390 Resident protection program – individual defined, WAC 388-78A-3400 Investigation of reports, WAC 388-78A-3410 Resident protection program – Notice to the individual of preliminary findings, WAC 388-78A-3430 Resident protection program – Disputing a preliminary finding, WAC 388-78A-3440 Hearing procedures to dispute preliminary finding, WAC 388-78A-3450 Resident protection program Finalizing a preliminary finding, WAC 388-78A-3460 Resident protection program – Appeal of initial order, WAC 388-78A-3470 Resident protection program – Reporting final findings, WAC 388-78A-3480 Resident protection program – Disclosure of investigative and finding information, and other rules as may be required.

**Statutes authorizing the agency to adopt rules on this subject:**

RCW 74.08.090

**Reasons why rules on this subject may be needed and what they might accomplish:**

Resident Client Protection Program (RCPP) has been moved into Adult Protective Services and the rules will be administered under chapter 388-71 WAC and chapter 388-106 WAC. References to the RCPP would thus be incorrect and will be repealed from chapter 388-78A WAC. Residential Care Services is coordinating to eliminate these WACs at the same time Home and Community Services is going to incorporate them into their WACs. The CR-101s for both divisions will be filed at the same time. Repealing the rules is beneficial to or supported by the regulated entities to prevent duplication of licensing rules.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:**

N/A

**Process for developing new rule (check all that apply):**

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe)

DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the Office of the Code Reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

**How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:**

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.) Contact:

Jeanette Childress  
PO Box 45600, Olympia, WA 98513  
Phone: 360-725-2591 Fax: 360-438-7903 TTY:  
E-mail: [Jeanette.Childress@dshs.wa.gov](mailto:Jeanette.Childress@dshs.wa.gov)

Draft section language will be posted on AL TSA Professional internet webpage at <http://www.alsa.dshs.wa.gov/professional/afh.htm> for review and comment prior to filing the CR-102. Anyone from the public can comment directly to the Program Manager listed above via phone, email or fax.

**DATE** December 22, 2014

**NAME (TYPE OR PRINT)**

Katherine Vasquez

**SIGNATURE**

**TITLE**

DSHS Rules Coordinator

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OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE: December 23, 2014**

**TIME: 3:00 PM**

**WSR 15-01-179**