



# 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 proposing to add a section to chapter 388-71 WAC, Home and Community Services and Programs, and other related rules as may be required. The new section will clarify exceptions and corresponding verification to the electronic time keeping requirement for home care agencies.

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

RCW 74.39A.325

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

The intent of RCW 74.39A.325 is to require Home Care Agencies licensed under chapter 70.127 RCW and providing Medicaid funded in-home personal care or respite services to verify agency employee hours by electronic timekeeping except in circumstances where electronic verification is not possible. This proposed rule will allow the Department to clarify how the statute is to be applied in circumstances where electronic timekeeping is not possible. Other related changes that arise during this rule making may be incorporated. Other WAC chapters may need to be updated as a result of this rule making.

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

Within DSHS, Developmental Disabilities Administration home care services also fall under the same statute. Rulemaking will be closely coordinated with them.

**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:

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**DATE**  
January 8, 2015

**NAME (TYPE OR PRINT)**  
Katherine Vasquez

**SIGNATURE**

**TITLE**  
DSHS Rules Coordinator

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FILED

**DATE: January 12, 2015**  
**TIME: 8:34 AM**

**WSR 15-03-029**