



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, Developmental Disabilities Administration

Subject of possible rule making:

The Developmental Disabilities Administration is proposing to amend sections within chapter 388-825 WAC "Developmental Disabilities Administration Service Rules" and other related rules as may be required.

Statutes authorizing the agency to adopt rules on this subject:

RCW 71A.12.030 "General authority of secretary – Rule adoption", RCW 43.43.842 "Vulnerable adults—Additional licensing requirements for agencies, facilities, and individuals providing services", and RCW 74.39A.056 "Criminal history checks on long-term care workers".

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

The purpose for making changes is to clarify and consolidate rules related to background checks, disqualifying convictions and negative actions, and Character, Competence, and Suitability (CC&S) determinations for Home and Community Services (HCS), Residential Care Services (RCS), and the Developmental Disabilities Administration (DDA). The changes will provide better clarity and understanding for the public and contracted entities, reduce the amount of WAC language across programs, and help preserve the health and safety of our clients. Other provisions related to long-term care worker qualifications, overpayments, and a client's choice of provider will also be clarified and consolidated.

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

The Developmental Disabilities Administration (DDA) and the Aging and Long-Term Support Administration (AL TSA) will collaborate and coordinate with the Department of Social and Health Services (DSHS) Background Check Central Unit (BCCU) to consolidate and coordinate rules related to negative actions and Character, Competence, and Suitability reviews including WACs such as chapters 388-71 WAC, 388-76 WAC, 388-78A WAC, 388-97 WAC, 388-101 WAC, 388-106 WAC, and 388-825 WAC.

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: Alan McMullen, Program Manager
Developmental Disabilities Administration
P.O. Box 45310
Olympia, WA. 98504-5310

Phone: 360-725-3524 Fax: 360-407-0955 TTY: 1-800-833-6388

E-mail: alan.mcmullen@dshs.wa.gov

DATE
June 21, 2016

NAME (TYPE OR PRINT)
Katherine Vasquez

SIGNATURE

TITLE
DSHS Rules Coordinator

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STATE OF WASHINGTON
FILED

DATE: June 22, 2016

TIME: 11:53 AM

WSR 16-13-156