



PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (October 2017)
(Implements RCW 34.05.310)**

Do **NOT** use for expedited rule making

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: January 22, 2019

TIME: 12:38 PM

WSR 19-03-149

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

Subject of possible rule making: The department is planning to amend WAC 388-97-4425 "Notice—Service complete", WAC 388-97-4430 "Notice—Proof of service", WAC 388-97-4440 "Appeal rights", and other related rules as may be required.

Statutes authorizing the agency to adopt rules on this subject: RCW 74.42.620

Reasons why rules on this subject may be needed and what they might accomplish: Planned amendments to WAC 388-97-4425 and WAC 388-97-4430 will clarify that notices can be delivered and proof of service can be obtained electronically through the federal website.

Reports or notices regarding deficiencies cited under the Washington Administrative Code are now delivered to facilities through a federal website. The planned amendment of WAC 388-97-4440 will clarify the nursing home's right to appeal WAC deficient findings under the state appeal process, regardless of the delivery method of the deficiency report.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: None

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


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

The department invites the interested public to review and provide input on the draft language of this rule. Draft material and information about how to participate may be obtained from the department representative listed below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:

Name: Lisa Herke, Nursing Home Policy Program Manager	(If necessary)
Address: PO Box 45600, Olympia, WA 98504	Name:
Phone: 509-225-2819	Address:
Fax: 360-438-7903	Phone:
TTY:	Fax:
Email: lisa.herke@dshs.wa.gov	TTY:
Web site:	Email:
Other:	Web site:
	Other:

Additional comments: Draft section language will be posted on ALISA Professional internet webpage 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: January 22, 2019	Signature: 
Name: Katherine I. Vasquez	
Title: DSHS Rules Coordinator	