



EXPEDITED RULE MAKING

CR-105 (June 2004)
(Implements RCW 34.05.353)
EXPEDITED RULE MAKING ONLY

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

Title of rule and other identifying information: (Describe Subject)

Within chapter 388-837 WAC Residential habilitation center (RHC) ICF/MR program, WAC 388-837-9005 What is the purpose of this chapter? and WAC 388-837-9030 What rights are available to a resident regarding a proposed transfer from one RHC to another RHC?

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO

Name: Rules Coordinator
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AND RECEIVED BY (Date) May 19, 2015

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

The purpose of this proposal is to comply with goals stated in RCW 44.04.280, by replacing demeaning language with respectful language. This will be done by using respectful language when referring to individuals with disabilities by replacing all instances of MR and mental retardation to ID and Intellectual disability. Other housekeeping changes are also being made to reflect agency reorganization. None of these changes will result in any changes to policy, eligibility, or processes.

Statutory authority for adoption: RCW 74.08.090, RCW 44.04.280, House Bill 2490, and Rosa's Law

Statute being implemented: RCW 44.04.280 and HB 2490

Is rule necessary because of a:

Federal Law? Yes No
Federal Court Decision? Yes No
State Court Decision? Yes No

If yes, CITATION:

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: March 13, 2015

TIME: 10:52 AM

WSR 15-07-053

DATE
March 12, 2015

NAME (TYPE OR PRINT)
Katherine Vasquez

SIGNATURE

TITLE
DSHS Rules Coordinator

Name of proponent: (person or organization)

- Private
- Public
- Governmental

Name of agency personnel responsible for:

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Enforcement.....	N/A		()

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

AMENDATORY SECTION (Amending WSR 04-16-018, filed 7/23/04, effective 8/23/04)

WAC 388-837-9005 What is the purpose of this chapter? (1) The purpose of this chapter is to establish rules authorized by Title 71A RCW for RHC ICF/((MR))ID programs, rules that:

(a) Regulate the purchase and provision of services in state operated intermediate care facility for ~~((the mentally retarded))~~ those with an intellectual disability (ICF/((MR))ID); and

(b) Assure adequate ICF/((MR))ID care, service, and protection are provided through certification procedures; and

(c) Establish standards for providing habilitative training, health-related care, supervision, and residential services to eligible persons.

(2) Except where specifically referenced, this chapter supersedes and replaces any and all sections affecting ICF/((MR))ID facilities or programs contained in chapter 388-96 WAC.

(3) Except as referenced, definitions in WAC 388-835-0010 apply to this chapter.

AMENDATORY SECTION (Amending WSR 04-16-018, filed 7/23/04, effective 8/23/04)

WAC 388-837-9030 What rights are available to a resident regarding a proposed transfer from one RHC to another RHC? (1) A resident, their guardian, next-of-kin, or responsible party must be notified in writing at least thirty days before any transfer occurs.

(2) The transfer notice must include the reason for the proposed transfer.

(3) A resident, their guardian, next of kin, or responsible party has a right to an informal administrative review before the ~~((division director))~~ assistant secretary or designee.