



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 the following sections in chapter 388-76 WAC "Adult Family Home Minimum Licensing Requirements": WAC 388-76-10510, WAC 388-76-10515, WAC 388-76-10520, WAC 388-76-10522, WAC 388-76-10525, WAC 388-76-10530, WAC 388-76-10532, WAC 388-76-10540, WAC 388-76-10545, WAC 388-76-10555, WAC 388-76-10560, WAC 388-76-10561, WAC 388-76-10565, WAC 388-76-10585, WAC 388-76-10600, WAC 388-76-10615, WAC 388-76-10685 Bedrooms, WAC 388-76-10695, WAC 388-76-10700, WAC 388-76-10710, WAC 388-76-10720, WAC 388-76-10735, WAC 388-76-10750, WAC 388-76-10765, WAC 388-76-10770, WAC 388-76-10784, WAC 388-76-10795, WAC 388-76-10800, WAC 388-76-10805, WAC 388-76-10810, WAC 388-76-10830, WAC 388-76-10835, WAC 388-76-10840, WAC 388-76-10850, WAC 388-76-10870, WAC 388-76-10885, WAC 388-76-10890, WAC 388-76-10895, WAC 388-76-10900, WAC 388-76-10905, and other related rules as may be required. The department may also develop new rule sections related to discharge and transfer notice and compliance with 42 CFR 441.302.

Statutes authorizing the agency to adopt rules on this subject: Chapter 70.128 RCW

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

The department is amending WAC 388-76-10545, WAC 388-76-10685, WAC 388-76-10735, WAC 388-76-10750, WAC 388-76-10795, WAC 388-76-10800, WAC 388-76-10805, WAC 388-76-10810, WAC 388-76-10850, and WAC 388-76-10895 for the health and safety of residents in the home.

The department is amending or repealing WAC 388-76-10510, WAC 388-76-10515, WAC 388-76-10520, WAC 388-76-10522, WAC 388-76-10525, WAC 388-76-10530, WAC 388-76-10532, WAC 388-76-10540, WAC 388-76-10555, WAC 388-76-10560, WAC 388-76-10561, WAC 388-76-10565, WAC 388-76-10585, WAC 388-76-10600, WAC 388-76-10615, WAC 388-76-10695, WAC 388-76-10700, WAC 388-76-10710, WAC 388-76-10720, WAC 388-76-10765, WAC 388-76-10770, WAC 388-76-10784 Water hazards-Fences, gates and alarms, WAC 388-76-10830, WAC 388-76-10835, WAC 388-76-10840, WAC 388-76-10870, WAC 388-76-10885, WAC 388-76-10890, WAC 388-76-10900, and WAC 388-76-10905 on behalf of adult family home and/or prospective adult family home providers, as the changes are beneficial to adult family home business owners.

Also, the department is amending rules and adding a new section to comply with Center for Medicare and Medicaid Services (CMS) new requirements for Home and Community Based Services regulations (42 CFR 441.302). As a part of the state's transition plan to comply with the new rules, CMS has requested rules be changed for the protection of resident rights.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: Federal – Center for Medicare and Medicaid Services

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

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

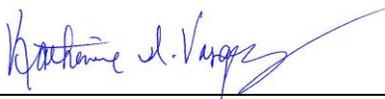
DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the Office of the Code Reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the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

Sherise Baltazar Adult Family Home Policy Program Manager
PO Box 45600, Olympia, WA 98513
Phone: 360-725-3204 Fax: 360-438-7903 TTY:
E-mail: Sherise.Baltazar@dshs.wa.gov

Draft section language will be posted on ALTSA 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 March 21, 2017
NAME (TYPE OR PRINT) Katherine Vasquez
SIGNATURE 
TITLE DSHS Rules Coordinator

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<div style="border: 1px solid black; padding: 10px; margin: 10px auto; width: fit-content;"> <p style="text-align: center;">OFFICE OF THE CODE REVISER STATE OF WASHINGTON FILED</p> <p>DATE: March 21, 2017</p> <p>TIME: 3:19 PM</p> <p>WSR 17-07-119</p> </div>