



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 department is proposing to amend sections within chapter 388-825 WAC "Developmental Disabilities Administration Service Rules", chapter 388-101D WAC "Requirements for Providers of Residential Services and Supports", 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 71A.12.120 "Authority to participate in federal programs", RCW 43.43.842 "Vulnerable adults—Additional licensing requirements for agencies, facilities, and individuals providing services", RCW 74.39A.056 "Criminal history checks on long-term care workers", and RCW 43.20A.710 "Investigation of conviction records or pending charges of state employees and individual providers".

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

The Developmental Disabilities Administration (DDA) is proposing to amend rules recently recodified in chapter 388-101D WAC from chapter 388-101 WAC to correct cross-references and align with amendments to chapter 388-825 WAC. Other proposed amendments to chapter 388-825 WAC and chapter 388-101D WAC will clarify and consolidate rules related to background checks, disqualifying convictions and negative actions, and character, competence, and suitability (CC&S) determinations. These proposed changes will clarify the rules and reduce the amount of WAC language across programs, and help preserve the health and safety of clients.

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 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, 388-76, 388-78A, 388-97, 388-101, 388-106, 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:

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DATE
June 19, 2017

NAME (TYPE OR PRINT)
Katherine Vasquez

SIGNATURE

TITLE
DSHS Rules Coordinator

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