



# 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, Behavioral Health Administration

**Subject of possible rule making**

The department is proposing to repeal existing rules, amend existing rules, and create new rules in title 388 WAC regarding mental health and substance use disorders in order to provide a single set of regulations for behavioral health agencies to follow. This may involve portions of chapters 388-865 WAC , 388-877 WAC, 388-877A WAC , 388-877B WAC, 388-877C WAC, and other related existing and new WAC chapters as may be required.

**Statutes authorizing the agency to adopt rules on this subject:**

Chapter 207, Laws of 2017; RCW 43.20A.550, RCW 71.05.560, RCW 71.24.035(5)(m); RCW 71.24.037; RCW 71.24.520(4), RCW 74.04.050

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

The 2017 Legislature passed Engrossed Second Substitute House Bill 1819 (Chapter 207, Laws of 2017) which charges DSHS with providing a single set of regulations for behavioral health agencies to follow that provide mental health, substance use disorder, and co-occurring treatment services by April 1, 2018. The Division of Behavioral Health and Recovery is performing a review of its rules, polices, and procedures related to the documentation requirements for behavioral health services in order to assess the comprehensive nature of this rule change.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:** Department of Health, the Health Care Authority, Superior Courts, and other government entities.

**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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<b>DATE</b> August 1, 2017
<b>NAME (TYPE OR PRINT)</b> Katherine Vasquez
<b>SIGNATURE</b> 
<b>TITLE</b> DSHS Rules Coordinator

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