



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 proposing to amend the list of disqualifying crimes found in WAC 388-113-0020 due to legislative action in the 2017 session, and is also proposing to remove the example for time limited convictions in 388-113-0020(2). The department may also amend, repeal, or create other related rules as may be required.

Statutes authorizing the agency to adopt rules on this subject:

RCW 71a.12.030, RCW 74.39A.056, RCW 43.43.832, RCW 43.43.842

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

The purpose of this proposed change is to implement the changes related to the passage of HB 1163 and HB 1153, and to simplify the WAC by removing the example of time limited convictions in WAC 388-113-0020(2). HB 1163 elevates the crime of Fourth Degree Assault to a felony under certain circumstances related to domestic violence and makes it an automatically disqualifying crime by reason of including it in the definition of crimes against persons in RCW 43.43.830. HB 1153 creates the crimes of First and Second Degree Theft from a Vulnerable Adult. These new crimes are not included in the current list of disqualify crimes listed in WAC 388-113-0020.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:

The Aging and Long-Term Support Administration and the Developmental Disabilities Administration will collaborate and coordinate with the Department of Social and Health Services (DSHS) Background Check Central Unit (BCCU) to coordinate background check process changes related to the proposed changes in WAC 388-113-0020.

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
August 1, 2017

NAME (TYPE OR PRINT)
Katherine Vasquez

SIGNATURE

TITLE
DSHS Rules Coordinator

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