



# PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (August 2017)**  
**(Implements RCW 34.05.310)**  
Do **NOT** use for expedited rule making

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DATE: August 23, 2017

TIME: 10:38 AM

WSR 17-17-172

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

**Subject of possible rule making:** The department is proposing to amend chapter 388-825 WAC, chapter 388-101D WAC, and other related rules as may be required.

**Statutes authorizing the agency to adopt rules on this subject:** RCW 71A.12.030, RCW 71A.12.120, RCW 43.43.842, RCW 74.39A.056, RCW 43.20A.710, RCW 43.43.837

**Reasons why rules on this subject may be needed and what they might accomplish:** The Developmental Disabilities Administration (DDA) is amending 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 amendments to chapter 388-825 WAC and chapter 388-101D WAC clarify and consolidate rules related to background checks, disqualifying convictions and negative actions, and character, competence, and suitability (CC&S) determinations. DDA is also adding requirements for background checks at residential habilitation centers. The 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)

**Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:**

	(If necessary)
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Additional comments:

**Date:** August 22, 2017

**Name:** Katherine I. Vasquez

**Title:** DSHS Rules Coordinator

**Signature:**

