



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (October 2017) (Implements RCW 34.05.310)

Do NOT use for expedited rule making

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: October 18, 2017

TIME: 8:53 AM

WSR 17-21-098

Agency: Department of Social and Health Services, Rehabilitation Administration

Subject of possible rule making: The department is proposing to create new sections and amend or repeal existing sections in chapter 388-891 WAC "Vocational Rehabilitation Services for Individuals With Disabilities" in order to inform customers about the services the Department of Vocational Rehabilitation (DVR) provides, update customer rights and customer confidentiality, and update the conditions under which DVR provides or pays for services. The department will also create, amend, or repeal other related rules as may be required.

Statutes authorizing the agency to adopt rules on this subject: 34 CFR Code of Federal Regulations, Part 361; 34 Code of Federal Regulations, Part 363; 34 Code of Federal Regulations, Part 397; RCW 74.29.020(8).

Reasons why rules on this subject may be needed and what they might accomplish: DVR WAC needs to comply with federal VR regulations requiring written policy (WAC) that defines the nature and scope of VR services, the criteria under which each service is provided or paid for, and the reasons for closing a case service record. The state Administrative Procedures Act (chapter 34.05 RCW) requires WACs when a state agency regulates the public or affects the rights or ability of the public to get services from a state agency. DVR is amending, repealing and adding WACs to meet federal and state requirements. WAC revisions are intended to clarify the scope of VR services and the conditions for DVR to provide or pay for them, as well as increase understanding of customer rights and customer confidentiality.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: The department will consult and coordinate with Washington state federally recognized tribes, U.S. Department of Education, Rehabilitation Services Administration (RSA), Washington State Rehabilitation Council (WSRC), and Washington State Department of Services for the Blind (DSB). Review and comment will be used for coordinating the rule-making process.

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

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe) DSHS – Division of Vocational Rehabilitation invites the interested public to review and provide input on draft language of the rules. Draft material and information about how to participate may be obtained from the department representatives listed below

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

Name: Michele Mulhern, Senior Manager
 Address:
 Phone: 360-725-3621
 Fax:
 TTY:
 Email: mulheml@dshs.wa.gov
 Web site:
 Other:

(If necessary)

Name: Robb St. Lawrence, Policy and Procedure Specialist
 Address:
 Phone: 360-725-3620
 Fax:
 TTY:
 Email: stlawrn@dshs.wa.gov
 Web site:
 Other:

Additional comments:

Date: October 17, 2017

Name: Katherine I. Vasquez

Title: DSHS Rules Coordinator

Signature: