



# PREPROPOSAL STATEMENT OF INQUIRY

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

Do **NOT** use for expedited rule making

CODE REVISER USE ONLY

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STATE OF WASHINGTON  
FILED

DATE: March 31, 2020

TIME: 3:31 PM

WSR 20-08-116

**Agency:** Department of Social and Health Services, Behavioral Health Administration

**Subject of possible rule making:** The department is planning to amend chapter 388-878 WAC to develop rules for the conditions of participation in the outpatient competency restoration program, within the framework of the forensic mental health care system. This rulemaking will include but not be limited to detailing the eligibility requirements for a person to receive outpatient competency restoration, medication management, or regular urinalysis testing for defendants with substance use disorders. The department may add new rules or amend other related rules as may be required.

**Statutes authorizing the agency to adopt rules on this subject:** RCW 10.77.086, RCW 74.08.090)

**Reasons why rules on this subject may be needed and what they might accomplish:** These rules are necessary to implement Engrossed Substitute Senate Bill 5444 (Chapter 326, Laws of 2019).

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:** The Healthcare Authority will be a partner in the development and promulgation of these rules.

**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.

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

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Web site:

Other:

(If necessary)

Name:

Address:

Phone:

Fax:

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Email:

Web site:

Other:

Additional comments:

**Date:** March 31, 2020

**Name:** Katherine I. Vasquez

**Title:** DSHS Rules Coordinator

**Signature:**