



PREPROPOSAL STATEMENT OF INQUIRY

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

Do **NOT** use for expedited rule making

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FILED

DATE: May 03, 2021

TIME: 11:31 AM

WSR 21-10-084

Agency: Department of Social and Health Services, Aging and Long-Term Support Administration

Subject of possible rule making: The department is considering amending WAC 388-97-0001, Definitions; WAC 388-97-1090, Direct Care Hours; and other related rules as may be required to implement EHB 1564 (Chapter 301, Laws of 2019).

Statutes authorizing the agency to adopt rules on this subject: RCW 74.42.620

Reasons why rules on this subject may be needed and what they might accomplish: The Department of Social and Health Services (DSHS) is considering amending WAC 388-97-0001 and WAC 388-97-1090 to implement EHB 1564 (Chapter 301, Laws of 2019). This bill revised the definition of "direct care staff" to establish the methodology for calculating the hours per day minimum staffing standard. The department will consider amending the staffing language in WAC 388-97-0001 and WAC 388-97-1090 to include when the Director of Nursing Services hours must be included or excluded in calculating the minimum staffing standard.

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

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

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe) DSHS will use a collaborative rule-making process to develop and receive comments on draft rules. Contact the DSHS staff listed below to receive draft material and information about how to participate in the rule-making process.

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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(If necessary)

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Additional comments:

Date: May 3, 2021

Name: Katherine I. Vasquez

Title: DSHS Rules Coordinator

Signature: