



PREPROPOSAL STATEMENT OF INQUIRY

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

Do **NOT** use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: March 17, 2022

TIME: 12:07 PM

WSR 22-07-064

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

Subject of possible rule making: The department was granted rule making authority in ESHB 1120 in 2021, chapter 203 laws of 2021, and is therefore pursuing regular rule making, as a follow-up to implementation of emergency rules, to reinstate the fingerprinting requirement for providers that was temporarily suspended by the governor's proclamation due to the Public Health Emergency. The proposal also amends other rules in Chapter 388-06 to ensure they are consistent with one another and do not conflict with current background check rules in WAC chapter 388-113.

Statutes authorizing the agency to adopt rules on this subject: RCW 43.20A.710, RCW 43.43.837, RCW 74.08.090, RCW 74.09.520, RCW 74.39A.056, ESHB 1120, c 203 § 19, 2021

Reasons why rules on this subject may be needed and what they might accomplish: Regular rule making, following an emergency WAC that was filed prior to the end of the proclamation to reduce future capacity issues for providers who need to complete fingerprinting, allows for public review and feedback from interested parties.

The department filed an emergency rule as WSR 22-06-074 on March 1 with an effective date of May 1.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: DSHS/Developmental Disabilities Administration and DSHS/Residential Care Services Division

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

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe) Per statute changes in Engrossed Substitute House Bill 1120 in 2021, chapter 203 laws of 2021.


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

Name: Angel Sullivan
Address: PO Box 45600
Olympia, WA 98504-5600
Phone: 360-725-2495
Fax: 360-438-8633
TTY: 1-800-833-6388
Email: angel.sullivan@dshs.wa.gov
Web site:
Other:

(If necessary)

Name:
Address:
Phone:
Fax:
TTY:
Email:
Web site:
Other:

Additional comments:

Date: March 16, 2022	Signature: 
Name: Katherine I. Vasquez	
Title: Rules Coordinator	