



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: July 22, 2025

TIME: 10:49 AM

WSR 25-15-137

Agency: Department of Social and Health Services, Behavioral Health & Habilitation Administration

Subject of possible rule making: WAC 388-825-091 – *Am I eligible for intermediate care or nursing facility services at an RHC?*, 388-825-093 – *Can I receive a short-term stay at a residential habilitation center (RHC)?*, and 388-825-094 – *What is the process to receive services in an RHC?*

Statutes authorizing the agency to adopt rules on this subject: RCWs 71A.12.030, 71A.12.120, 71A.16.010, 71A.16.020, 71A.20.010, 71A.20.020, 71A.20.050, 71A.20.080, and 71A.20.090

Reasons why rules on this subject may be needed and what they might accomplish: In the 2025 Legislative Session, the Legislature passed SSB 5393, closing the Rainier school by June 30, 2027. This legislation directs that DSHS will not permit “any new long-term admissions” to Rainier School as of July 27, 2025, and no new admissions as of June 30, 2027. These rules are necessary to set standard definitions and implement the legislation.

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

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

- ☐ Negotiated rule making
- ☐ Pilot rule making
- ☐ Agency study

☒ Other (describe) Emergency Rulemaking. 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 rulemaking. 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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Other:

(If necessary)

Name:
Address:
Phone:
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Web site:
Other:

Additional comments:

Date: July 22, 2025

Name: Katherine I. Vasquez

Title: DSHS Rules Coordinator

Signature: