



PROPOSED RULE MAKING

CR-102 (June 2012)

(Implements RCW 34.05.320)

Do **NOT** use for expedited rule making

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

- Preproposal Statement of Inquiry was filed as WSR:16-22-038; or
- Expedited Rule Making--Proposed notice was filed as WSR:___; or
- Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1).

- Original Notice
- Supplemental Notice to WSR:
- Continuance of WSR:

Title of rule and other identifying information: (Describe Subject)

The department is proposing to create WAC 388-102-0100 "Online registration" contained in a new chapter 388-102 WAC "Online Registration of Continuing Care Retirement Communities (CCRC)".

Hearing location(s):

Office Building 2
DSHS Headquarters
1115 Washington
Olympia, WA 98504

Public parking at 11th and Jefferson. A map is available at:
<https://www.dshs.wa.gov/sesa/rules-and-policies-assistance-unit/driving-directions-office-bldg-2>

Date: **April 4, 2017** Time: **10:00 a.m.**

Submit written comments to:

Name: DSHS Rules Coordinator
Address: PO Box 45850
Olympia, WA 98504
e-mail: DSHSRPAURulesCoordinator@dshs.wa.gov
fax: (360) 664-6185

by: 5:00 p.m. April 4, 2017

Assistance for persons with disabilities: Contact:
Jeff Kildahl, DSHS Rules Consultant by March 21, 2017
Phone: (360) 664-6092 or TTY: (360) 664-6178
Email: KildaJA@dshs.wa.gov

Date of intended adoption: Not earlier than April 5, 2017
(Note: This is **NOT** the **effective** date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

The proposed rule will establish consistent application and registration requirements for the continuing care retirement community online state registry. The proposed rule will require an entity to submit a completed application with required documentation and pay a registration fee in order to become registered as a continuing care retirement community.

Reasons supporting proposal:

Legislation that passed in 2016 requires the Department of Social and Health Services (DSHS) to create an online registry and a collect a registration fee for continuing care retirement communities (CCRCs) operating in the state of Washington effective July 1, 2017.

Statutory authority for adoption: RCW 43.17.060, RCW 18.390.40

Statute being implemented: SSHB 2726, Chapter 183, Laws of 2016

Is rule necessary because of a:

- Federal Law? Yes No
 - Federal Court Decision? Yes No
 - State Court Decision? Yes No
- If yes, CITATION:

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: March 01, 2017

TIME: 9:08 AM

WSR 17-06-069

DATE

February 23, 2017

NAME (type or print)

Katherine Vasquez

SIGNATURE

TITLE

DSHS Rules Coordinator

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

House Bill 2726 directed the department in Sec. 4(1)(a) to require submission of a complete application, and in (c) to establish and collect a fee. Sec. 2 (2) allows an applicant to appeal decision by the department to deny an applicant registration.

Name of proponent: (person or organization) Department of Social and Health Services

- Private
 Public
 Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	Teri Smistad	4450 10 th Ave SE, Lacey, WA 98503	(360) 725-2394
Implementation:	Eric Mandt	4450 10 th Ave SE, Lacey, WA 98503	(360) 725-2579
Enforcement:	Eric Mandt	4450 10 th Ave SE, Lacey, WA 98503	(360) 725-2579

Has a small business economic impact statement been prepared under chapter 19.85 RCW or has a school district fiscal impact statement been prepared under section 1, chapter 210, Laws of 2012?

Yes. Attach copy of small business economic impact statement or school district fiscal impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

Phone: ()

Fax: ()

e-mail

No. Explain why no statement was prepared.

The department has analyzed the proposed rule and concluded that no new costs will be imposed on small businesses or small non-profit organizations.

Is a cost-benefit analysis required under RCW 34.05.328?

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

Phone: ()

fax: ()

e-mail:

No: Please explain:

The proposed rule are exempt under RCW 34.05.328(5)(b)(iii), rules adopting or incorporating by reference Washington State statutes.

Chapter 388-102 WAC
ONLINE REGISTRATION OF CONTINUING CARE RETIREMENT COMMUNITIES (CCRC)

NEW SECTION

WAC 388-102-0100 Online registration. (1) The department of social and health services business analysis and applications unit (BAAU) will establish an online registration as required by chapter 18.390 RCW.

(2) To be eligible to be registered as a continuing care retirement community (CCRC) and listed on the state aging and long-term support administration (AL TSA) CCRC online registry, an entity must:

(a) Complete the application; and

(b) Pay the registration fee.

(3) A CCRC must register with the state and pay the required fee every two years.

(4) At the time of the application for or renewal of a CCRC registration, the entity must pay a registration fee. Beginning July 1, 2017, the registration fee must be established in the omnibus appropriations act and any amendment or additions made to that act.

(5) An applicant may appeal agency denials of an application for CCRC registration.

(a) Appeals to the department must be made in writing within thirty days of the department's denial.

(b) Appeals should be sent to the office of administrative hearings.