



PROPOSED RULE MAKING

CR-102 (December 2017) (Implements RCW 34.05.320)

Do NOT use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: May 22, 2018

TIME: 11:14 AM

WSR 18-11-118

Agency: Department of Social and Health Services, Developmental Disabilities Administration

Original Notice

Supplemental Notice to WSR _____

Continuance of WSR _____

Preproposal Statement of Inquiry was filed as WSR 18-03-172 ; 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); or

Proposal is exempt under RCW _____.

Title of rule and other identifying information: (describe subject) The department is proposing to amend WAC 388-833-0015 "Who is eligible for the community crisis stabilization service (CCSS) program?".

Hearing location(s):

Date:	Time:	Location: (be specific)	Comment:
June 26, 2018	10:00 a.m.	Office Building 2 DSHS Headquarters 1115 Washington Olympia, WA 98504	Public parking at 11 th and Jefferson. A map is available at: https://www.dshs.wa.gov/sesa/rules-and-policies-assistance-unit/driving-directions-office-bldg-2

Date of intended adoption: Not earlier than June 27, 2018 (Note: This is **NOT** the **effective** date)

Submit written comments to:

Name: DSHS Rules Coordinator

Address: PO Box 45850
Olympia, WA 98504

Email: DSHSRPAURulesCoordinator@dshs.wa.gov

Fax: 360-664-6185

Other:

By (date) 5:00 p.m. June 26, 2018

Assistance for persons with disabilities:

Contact Jeff Kildahl, DSHS Rules Consultant

Phone: 360-664-6092

Fax: 360-664-6185

TTY: 711 Relay Service

Email: Kildaja@dshs.wa.gov

Other:

By (date) June 12, 2018

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The department is amending this rule in order to clarify the age limit for CCSS program eligibility and update the name of an existing DSHS administration with its new agency name.

Reasons supporting proposal: The proposed rule clarifies that a person is not eligible for the CCSS program if they are age twenty-one or older and changes the name "DSHS children's administration" to the entity's new agency name, "department of children, youth, and families."

Statutory authority for adoption: RCW 71A.12.030

Statute being implemented: RCW 71A.20.010

Is rule necessary because of a:

Federal Law?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Federal Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
State Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

If yes, CITATION:

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters: None

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

<input type="checkbox"/> Private
<input type="checkbox"/> Public
<input checked="" type="checkbox"/> Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	Chantelle Diaz	P.O. Box 45310, Olympia, WA 98504-5310	360-407-1589
Implementation:	Nichole Jensen	P.O. Box 45310, Olympia, WA 98504-5310	360-407-1521
Enforcement:	Nichole Jensen	P.O. Box 45310, Olympia, WA 98504-5310	360-407-1521

Is a school district fiscal impact statement required under RCW 28A.305.135? Yes No

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

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

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:
TTY:
Email:
Other:

No: Please explain: This rulemaking is exempt from cost-benefit analysis requirements because the proposed amendments, as described under RCW 34.05.328(5)(b)(iv), clarify the language of the rule without changing its effect.

Regulatory Fairness Act Cost Considerations for a Small Business Economic Impact Statement:

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see chapter 19.85 RCW). Please check the box for any applicable exemption(s):

This rule proposal, or portions of the proposal, is exempt under RCW 19.85.061 because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.

Citation and description:

This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by RCW 34.05.313 before filing the notice of this proposed rule.

This rule proposal, or portions of the proposal, is exempt under the provisions of RCW 15.65.570(2) because it was adopted by a referendum.

This rule proposal, or portions of the proposal, is exempt under RCW 19.85.025(3). Check all that apply:

- RCW 34.05.310 (4)(b) (Internal government operations)
- RCW 34.05.310 (4)(c) (Incorporation by reference)
- RCW 34.05.310 (4)(d) (Correct or clarify language)
- RCW 34.05.310 (4)(e) (Dictated by statute)
- RCW 34.05.310 (4)(f) (Set or adjust fees)
- RCW 34.05.310 (4)(g) ((i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit)

This rule proposal, or portions of the proposal, is exempt under RCW 19.85.025(4) because the rules do not affect small businesses.

Explanation of exemptions, if necessary: The proposed amendments impose no new or disproportionate costs on small businesses so a small business economic impact statement is not required.

COMPLETE THIS SECTION ONLY IF NO EXEMPTION APPLIES

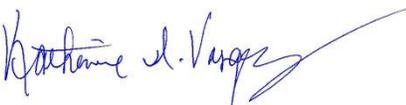
If the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

No Briefly summarize the agency's analysis showing how costs were calculated. _____

Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses, and a small business economic impact statement is required. Insert statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

- Name:
- Address:
- Phone:
- Fax:
- TTY:
- Email:
- Other:

Date: May 16, 2018	Signature: 
Name: Katherine I. Vasquez	
Title: DSHS Rules Coordinator	

AMENDATORY SECTION (Amending WSR 15-08-081, filed 3/31/15, effective 5/1/15)

WAC 388-833-0015 Who is eligible for the community crisis stabilization service (CCSS) program? ~~((To be))~~ A person is eligible for ~~((CCSS,))~~ the ~~((following conditions must be met))~~ community crisis stabilization services program if:

(1) ~~The~~ ~~((individual has been determined))~~ person is eligible for DDA services ~~((as defined in))~~ under chapter 388-823 WAC;

(2) ~~The~~ ~~((individual))~~ person is eligible for medicaid services;

(3) ~~The~~ ~~((individual))~~ person or their legal representative ~~((has provided voluntary))~~ voluntarily consents to ~~((participate))~~ community crisis stabilization services;

(4) ~~The~~ ~~((individual))~~ person is age eight ~~((to))~~ or older but under age twenty one;

(5) ~~The~~ ~~((individual))~~ person has no ~~((unresolved issues))~~ pending investigations of abuse or neglect ~~((pending))~~ with the ~~((DSHS children's administration))~~ department of children, youth, and families; and

(6) ~~The~~ DDA ~~((CCSS review team has determined that))~~ determines the ~~((individual))~~ person needs the level of service provided in the ~~((CCSS))~~ community crisis stabilization services program.