



RULE-MAKING ORDER EMERGENCY RULE ONLY

CR-103E (October 2017) (Implements RCW 34.05.350 and 34.05.360)

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STATE OF WASHINGTON
FILED

DATE: November 21, 2017

TIME: 11:15 AM

WSR 17-23-169

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

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) November 22, 2017

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes
 - No
- If Yes, explain:

Purpose: The department is amending WAC 388-105-0005 "The daily medicaid payment rates for clients who have been assessed using the CARE tool and reside at an AFH or assisted living facility contracted to provide AL, ARC, or EARC services" in order to update the comprehensive assessment reporting evaluation (CARE) table found in rule to reflect the current daily rates. The department has filed proposed rules as WSR 17-21-074 and a public hearing will be held on November 21, 2017.

Citation of rules affected by this order:

New: None
 Repealed: None
 Amended: WAC 388-105-0005
 Suspended: None

Statutory authority for adoption: RCW 74.39A.030(3)(a)

Other authority:

EMERGENCY RULE

Under RCW 34.05.350 the agency for good cause finds:

- That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding: The daily medicaid payment rates changed effective July 1, 2017 with the new budget/fiscal year.

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	<u>1</u>	Repealed	___

The number of sections adopted at the request of a nongovernmental entity:

New	___	Amended	___	Repealed	___
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The number of sections adopted on the agency's own initiative:

New	___	Amended	___	Repealed	___
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	___	Amended	___	Repealed	___
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The number of sections adopted using:

Negotiated rule making:	New	___	Amended	___	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	___	Amended	<u>1</u>	Repealed	___

Date Adopted: November 15, 2017

Name: Katherine I. Vasquez

Title: DSHS Rules Coordinator

Signature:



WAC 388-105-0005 The daily medicaid payment rates for clients who have been assessed using the CARE tool and reside at an AFH or assisted living facility contracted to provide AL, ARC, or EARC services. For contracted adult family homes (AFH) and assisted living facilities contracted to provide assisted living (AL), adult residential care (ARC), or enhanced adult residential care (EARC) services, the department pays the following daily rates for medicaid residents who have been assessed using the comprehensive assessment reporting evaluation (CARE) tool:

COMMUNITY RESIDENTIAL DAILY RATES FOR CLIENTS ASSESSED USING CARE					
KING COUNTY					
CARE CLASSIFICATION	AL Without Capital Add-on	AL With Capital Add-on	ARC	EARC	AFH
A Low	(\$67.22) <u>\$70.59</u>	(\$72.64) <u>\$76.01</u>	(\$47.67) <u>\$50.06</u>	(\$47.67) <u>\$50.06</u>	(\$52.47) <u>\$71.96</u>
A Med	(\$72.74) <u>\$76.38</u>	(\$78.16) <u>\$81.80</u>	(\$54.03) <u>\$56.74</u>	(\$54.03) <u>\$56.74</u>	(\$59.36) <u>\$74.74</u>
A High	(\$81.57) <u>\$85.66</u>	(\$86.99) <u>\$91.08</u>	(\$59.30) <u>\$62.27</u>	(\$59.30) <u>\$62.27</u>	(\$66.27) <u>\$81.23</u>
B Low	(\$67.22) <u>\$70.59</u>	(\$72.64) <u>\$76.01</u>	(\$47.67) <u>\$50.06</u>	(\$47.67) <u>\$50.06</u>	(\$52.72) <u>\$73.40</u>
B Med	(\$74.96) <u>\$78.72</u>	(\$80.39) <u>\$84.14</u>	(\$60.39) <u>\$63.42</u>	(\$60.39) <u>\$63.42</u>	(\$66.58) <u>\$79.78</u>
B Med-High	(\$84.83) <u>\$89.08</u>	(\$90.25) <u>\$94.50</u>	(\$64.19) <u>\$67.41</u>	(\$64.19) <u>\$67.41</u>	(\$71.24) <u>\$86.56</u>
B High	(\$89.28) <u>\$93.75</u>	(\$94.70) <u>\$99.17</u>	(\$73.31) <u>\$76.98</u>	(\$73.31) <u>\$76.98</u>	(\$81.27) <u>\$89.05</u>
C Low	(\$72.74) <u>\$76.38</u>	(\$78.16) <u>\$81.80</u>	(\$54.03) <u>\$56.74</u>	(\$54.03) <u>\$56.74</u>	(\$59.36) <u>\$81.03</u>
C Med	(\$81.57) <u>\$85.66</u>	(\$86.99) <u>\$91.08</u>	(\$67.70) <u>\$71.09</u>	(\$67.70) <u>\$71.09</u>	(\$75.43) <u>\$93.33</u>
C Med-High	(\$101.43) <u>\$106.51</u>	(\$106.85) <u>\$111.93</u>	(\$90.09) <u>\$94.60</u>	(\$90.09) <u>\$94.60</u>	(\$98.41) <u>\$98.41</u>
C High	(\$102.44) <u>\$107.57</u>	(\$107.86) <u>\$112.99</u>	(\$90.95) <u>\$95.51</u>	(\$90.95) <u>\$95.51</u>	\$99.76
D Low	(\$74.96) <u>\$78.72</u>	(\$80.38) <u>\$84.14</u>	(\$72.87) <u>\$76.52</u>	(\$72.87) <u>\$76.52</u>	(\$76.87) <u>\$86.46</u>
D Med	(\$83.23) <u>\$87.40</u>	(\$88.65) <u>\$92.82</u>	(\$84.35) <u>\$88.58</u>	(\$84.35) <u>\$88.58</u>	(\$93.79) <u>\$95.25</u>
D Med-High	(\$107.49) <u>\$112.88</u>	(\$112.91) <u>\$118.30</u>	(\$107.13) <u>\$112.50</u>	(\$107.13) <u>\$112.50</u>	\$112.59
D High	(\$115.79) <u>\$121.59</u>	(\$121.21) <u>\$127.01</u>	(\$115.79) <u>\$121.59</u>	(\$115.79) <u>\$121.59</u>	\$128.01
E Med	(\$139.84) <u>\$146.85</u>	(\$145.26) <u>\$152.27</u>	(\$139.84) <u>\$146.85</u>	(\$139.84) <u>\$146.85</u>	\$154.39
E High	(\$163.89) <u>\$172.10</u>	(\$169.31) <u>\$177.52</u>	(\$163.89) <u>\$172.10</u>	(\$163.89) <u>\$172.10</u>	\$180.80

COMMUNITY RESIDENTIAL DAILY RATES FOR CLIENTS ASSESSED USING CARE

METROPOLITAN COUNTIES*

CARE CLASSIFICATION	AL Without Capital Add-on	AL With Capital Add-on	ARC	EARC	AFH
A Low	((\$61.69) <u>\$64.78</u>)	((\$66.61) <u>\$69.70</u>)	((\$47.67) <u>\$50.06</u>)	((\$47.67) <u>\$50.06</u>)	((\$52.47) <u>\$70.78</u>)
A Med	((\$65.02) <u>\$68.28</u>)	((\$69.94) <u>\$73.20</u>)	((\$51.91) <u>\$54.51</u>)	((\$51.91) <u>\$54.51</u>)	((\$57.06) <u>\$73.49</u>)
A High	((\$79.37) <u>\$83.35</u>)	((\$84.29) <u>\$88.27</u>)	((\$56.56) <u>\$59.39</u>)	((\$56.56) <u>\$59.39</u>)	((\$62.80) <u>\$79.80</u>)
B Low	((\$61.69) <u>\$64.78</u>)	((\$66.61) <u>\$69.70</u>)	((\$47.67) <u>\$50.06</u>)	((\$47.67) <u>\$50.06</u>)	((\$52.72) <u>\$72.18</u>)
B Med	((\$70.52) <u>\$74.05</u>)	((\$75.44) <u>\$78.97</u>)	((\$57.22) <u>\$60.09</u>)	((\$57.22) <u>\$60.09</u>)	((\$63.11) <u>\$78.39</u>)
B Med-High	((\$79.83) <u>\$83.83</u>)	((\$84.75) <u>\$88.78</u>)	((\$60.81) <u>\$63.86</u>)	((\$60.81) <u>\$63.86</u>)	((\$67.59) <u>\$84.98</u>)
B High	((\$87.07) <u>\$91.43</u>)	((\$91.99) <u>\$96.35</u>)	((\$71.25) <u>\$74.82</u>)	((\$71.25) <u>\$74.82</u>)	((\$79.00) <u>\$87.41</u>)
C Low	((\$65.02) <u>\$68.28</u>)	((\$69.94) <u>\$73.20</u>)	((\$52.12) <u>\$54.73</u>)	((\$52.12) <u>\$54.73</u>)	((\$57.48) <u>\$79.61</u>)
C Med	((\$79.37) <u>\$83.35</u>)	((\$84.29) <u>\$88.27</u>)	((\$66.84) <u>\$70.19</u>)	((\$66.84) <u>\$70.19</u>)	((\$73.63) <u>\$91.57</u>)
C Med-High	((\$98.10) <u>\$103.01</u>)	((\$103.02) <u>\$107.93</u>)	((\$83.73) <u>\$87.92</u>)	((\$83.73) <u>\$87.92</u>)	((\$91.53) <u>\$93.63</u>)
C High	((\$99.09) <u>\$105.05</u>)	((\$104.01) <u>\$108.97</u>)	((\$89.04) <u>\$93.50</u>)	((\$89.04) <u>\$93.50</u>)	\$97.03
D Low	((\$70.52) <u>\$74.05</u>)	((\$75.44) <u>\$78.97</u>)	((\$71.87) <u>\$75.47</u>)	((\$71.87) <u>\$75.47</u>)	((\$75.20) <u>\$84.89</u>)
D Med	((\$80.98) <u>\$85.04</u>)	((\$85.90) <u>\$89.96</u>)	((\$82.67) <u>\$86.81</u>)	((\$82.67) <u>\$86.81</u>)	((\$91.30) <u>\$93.44</u>)
D Med-High	((\$103.98) <u>\$109.19</u>)	((\$108.90) <u>\$114.11</u>)	((\$104.50) <u>\$109.74</u>)	((\$104.50) <u>\$109.74</u>)	\$109.19
D High	((\$112.63) <u>\$118.27</u>)	((\$117.55) <u>\$123.19</u>)	((\$112.63) <u>\$118.27</u>)	((\$112.63) <u>\$118.27</u>)	\$123.88
E Med	((\$135.52) <u>\$142.31</u>)	((\$140.44) <u>\$147.23</u>)	((\$135.52) <u>\$142.31</u>)	((\$135.52) <u>\$142.31</u>)	\$149.01
E High	((\$158.40) <u>\$166.34</u>)	((\$163.32) <u>\$171.23</u>)	((\$158.40) <u>\$166.34</u>)	((\$158.40) <u>\$166.34</u>)	\$174.13

*Benton, Clark, Franklin, Island, Kitsap, Pierce, Snohomish, Spokane, Thurston, Whatcom, and Yakima counties.

COMMUNITY RESIDENTIAL DAILY RATES FOR CLIENTS ASSESSED USING CARE

NONMETROPOLITAN COUNTIES**

CARE CLASSIFICATION	AL Without Capital Add-on	AL With Capital Add-on	ARC	EARC	AFH
A Low	((\$60.61) <u>\$63.65</u>)	((\$65.85) <u>\$68.89</u>)	((\$47.67) <u>\$50.06</u>)	((\$47.67) <u>\$50.06</u>)	((\$52.47) <u>\$69.07</u>)
A Med	((\$65.02) <u>\$68.28</u>)	((\$70.26) <u>\$73.52</u>)	((\$50.86) <u>\$53.41</u>)	((\$50.86) <u>\$53.41</u>)	((\$55.92) <u>\$71.67</u>)
A High	((\$79.37) <u>\$83.38</u>)	((\$84.61) <u>\$88.59</u>)	((\$55.66) <u>\$58.45</u>)	((\$55.66) <u>\$58.45</u>)	((\$61.67) <u>\$77.73</u>)

COMMUNITY RESIDENTIAL DAILY RATES FOR CLIENTS ASSESSED USING CARE

NONMETROPOLITAN COUNTIES**

CARE CLASSIFICATION	AL Without Capital Add-on	AL With Capital Add-on	ARC	EARC	AFH
B Low	(\$60.61) <u>\$63.65</u>	(\$65.85) <u>\$68.89</u>	(\$47.67) <u>\$50.06</u>	(\$47.67) <u>\$50.06</u>	(\$52.72) <u>\$70.42</u>
B Med	(\$70.52) <u>\$74.05</u>	(\$75.76) <u>\$79.29</u>	(\$56.16) <u>\$58.97</u>	(\$56.16) <u>\$58.97</u>	(\$61.96) <u>\$76.38</u>
B Med-High	(\$79.83) <u>\$83.83</u>	(\$85.07) <u>\$89.07</u>	(\$59.68) <u>\$62.67</u>	(\$59.68) <u>\$62.67</u>	(\$66.29) <u>\$82.71</u>
B High	(\$87.07) <u>\$91.43</u>	(\$92.31) <u>\$96.67</u>	(\$67.41) <u>\$70.79</u>	(\$67.41) <u>\$70.79</u>	(\$74.79) <u>\$85.04</u>
C Low	(\$65.02) <u>\$68.28</u>	(\$70.26) <u>\$73.52</u>	(\$50.86) <u>\$53.41</u>	(\$50.86) <u>\$53.41</u>	(\$55.92) <u>\$77.55</u>
C Med	(\$79.37) <u>\$83.35</u>	(\$84.61) <u>\$88.59</u>	(\$63.20) <u>\$66.67</u>	(\$63.20) <u>\$66.37</u>	(\$70.85) <u>\$89.04</u>
C Med-High	(\$98.10) <u>\$103.01</u>	(\$103.34) <u>\$108.25</u>	(\$80.54) <u>\$84.58</u>	(\$80.54) <u>\$84.58</u>	(\$88.10) <u>\$91.01</u>
C High	(\$99.09) <u>\$104.05</u>	(\$104.33) <u>\$109.29</u>	(\$84.18) <u>\$88.40</u>	(\$84.18) <u>\$88.40</u>	(\$91.84) <u>\$93.08</u>
D Low	(\$70.52) <u>\$74.05</u>	(\$75.76) <u>\$79.29</u>	(\$67.96) <u>\$71.36</u>	(\$67.96) <u>\$71.36</u>	(\$71.19) <u>\$82.62</u>
D Med	(\$80.98) <u>\$85.04</u>	(\$86.22) <u>\$90.28</u>	(\$78.17) <u>\$82.09</u>	(\$78.17) <u>\$82.09</u>	(\$86.40) <u>\$90.83</u>
D Med-High	(\$103.98) <u>\$109.19</u>	(\$109.22) <u>\$114.43</u>	(\$98.79) <u>\$103.74</u>	(\$98.79) <u>\$103.74</u>	(\$103.33) <u>\$104.36</u>
D High	(\$106.48) <u>\$111.81</u>	(\$111.72) <u>\$117.05</u>	(\$106.48) <u>\$111.81</u>	(\$106.48) <u>\$111.81</u>	\$117.20
E Med	(\$128.11) <u>\$134.53</u>	(\$133.35) <u>\$139.77</u>	(\$128.11) <u>\$134.53</u>	(\$128.11) <u>\$134.53</u>	\$140.94
E High	(\$149.75) <u>\$157.25</u>	(\$154.99) <u>\$162.49</u>	(\$149.75) <u>\$157.25</u>	(\$149.75) <u>\$157.25</u>	\$164.70

** Nonmetropolitan counties: Adams, Asotin, Chelan, Clallam, Columbia, Cowlitz, Douglas, Ferry, Garfield, Grant, Grays Harbor, Jefferson, Kittitas, Klickitat, Lewis, Lincoln, Mason, Okanogan, Pacific, Pend Orielle, San Juan, Skagit, Skamania, Stevens, Wahkiakum, Walla Walla and Whitman.