



# RULE-MAKING ORDER PERMANENT RULE ONLY

## CR-103P (December 2017) (Implements RCW 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

DATE: June 16, 2020

TIME: 4:54 PM

WSR 20-13-091

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

**Effective date of rule:**

**Permanent Rules**

- 31 days after filing.  
 Other (specify) \_\_\_\_\_ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

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

- Yes  No If Yes, explain:

**Purpose:** The Developmental Disabilities Administration (DDA) amended this rule to implement a 13.5% daily rate increase for companion home providers as approved in the 2019 operating budget under ESHB 1109 (Chapter 415, Laws of 2019), Section 203.

**Citation of rules affected by this order:**

New: None  
Repealed: None  
Amended: WAC 388-829C-131  
Suspended: None

**Statutory authority for adoption:** RCW 71A.12.030

**Other authority:** RCW 71A.12.040

**PERMANENT RULE (Including Expedited Rule Making)**

Adopted under notice filed as WSR 20-09-058 on April 10, 2020 (date).  
Describe any changes other than editing from proposed to adopted version: None

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

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**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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___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	Repealed	___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New	___	Amended	___	Repealed	___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New	___	Amended	___	Repealed	___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New	___	Amended	___	Repealed	___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:** June 16, 2020

**Name:** Cheryl Strange

**Title:** Secretary

**Signature:**



**WAC 388-829C-131 How does DDA determine the daily rate?** (1) A companion home daily rate equals the sum of the client's support assessment scale scores multiplied by (~~(12.5)~~) 14.2.

(2) The residential algorithm under chapter 388-828 WAC determines the level of services and supports a companion home client may receive.

(3) The CARE assessment assigns support levels of "none," "low," "medium," or "high" to each support assessment scale that correspond to the values below:

Category	None	Low	Medium	High
Activities of daily living	0	1	2	3
Behavior	0	1	2	3
Interpersonal support	0	1	2	3
Medical	0	1	2	3
Mobility	0	1	2	3
Protective supervision	0	1	2	3

(4) DDA assigns a behavior score of four if the client has a:

(a) Behavior score of three on (~~their~~) the support assessment scale;

(b) Challenging behavior documented on form DSHS 10-234; and

(c) Current positive behavior support plan.

(5) DDA reviews a companion home daily rate annually and if a significant change assessment occurs during the plan year.

(6) DDA may adjust a companion home daily rate if:

(a) Any of the client's support assessment scale levels change;

(b) The multiplier changes due to a vendor rate change; or

(c) The annual cost of respite services increased because DDA approved additional respite hours under WAC 388-829C-234(3) and the client's assessed support needs remain unchanged since the most recent CARE assessment.