



# 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: February 02, 2021

TIME: 11:12 AM

WSR 21-04-131

**Agency:** Department of Social and Health Services, Aging and Long-Term Support 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 department is amending WAC 388-76-10695 and WAC 388-76-10730 to update an adoption by reference in chapter 388-76 WAC. This is a technical correction after WAC 51-51-0325 was moved to WAC 51-51-0330 in July, 2020. This is a numbering change only. There is no policy change associated with this update.

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

New: None

Repealed: None

Amended: WAC 388-76-10695, 388-76-10730

Suspended: None

**Statutory authority for adoption:** RCW 70.128.040

**Other authority:** None

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

Adopted under notice filed as WSR 20-22-100 on November 3, 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:

Name:

Address:

Phone:

Fax:

TTY:

Email:

Web site:

Other:

**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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New	___	Amended	___	Repealed	___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New	___	Amended	___	Repealed	___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>2</u>	Repealed	___

**Date Adopted:** February 2, 2021

**Name:** Katherine I. Vasquez

**Title:** DSHS Rules Coordinator

**Signature:**



AMENDATORY SECTION (Amending WSR 07-21-080, filed 10/16/07, effective 1/1/08)

**WAC 388-76-10695 Building codes—Structural requirements.** (1)

For single family dwellings used as an adult family home after July 1, 2007, the home must ensure the building meets the requirements of WAC ((~~51-51-0325~~ Section R325)) 51-51-0330 if the building is:

- (a) New; or
  - (b) An existing building converted for use as an adult family home.
- (2) For buildings licensed as a home before July 1, 2007, the requirement of subsection (1) of this section does not apply if:
- (a) The building sells or transfers to a new owner; and
  - (b) The new owner takes possession of the building before the issuance of the license.
- (3) The home must ensure that every area used by residents:
- (a) Has direct access to at least one exit which does not pass through other areas such as a room or garage subject to being locked or blocked from the opposite side; and
  - (b) Is not accessible only by or with the use of a:
    - (i) Ladder;
    - (ii) Folding stairs; or
    - (iii) Trap door.

AMENDATORY SECTION (Amending WSR 16-20-095, filed 10/4/16, effective 11/4/16)

**WAC 388-76-10730 Grab bars and hand rails.** (1) Homes licensed

- before November 1, 2016, must have at a minimum securely installed:
- (a) Grab bars in bathing facilities such as tubs and showers;
  - (b) Grab bars next to toilets, if needed by any resident;
  - (c) Handrails on a step or steps if needed by any resident; and
  - (d) Handrails on ramps if needed by any resident.
- (2) Homes licensed and bathroom additions that occur after November 1, 2016, must install grab bars securely fastened in accordance with WAC ((~~51-51-0325~~)) 51-51-0330 at the following locations:
- (a) Bathing facilities such as tubs and showers; and
  - (b) Each side of any toilet used by residents.
- (3) Homes licensed after November 1, 2016, must install handrails on each side of the following:
- (a) Step or steps; and
  - (b) Ramps used by residents.