



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 07, 2025

TIME: 3:21 PM

WSR 25-05-021

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

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: This rulemaking supports and protects residents by adding timeframes to existing WAC requirements and adding clarifying language. The rule requires Adult Family Homes (AFH)s to dispose of expired, discontinued, and refused medications within a specific timeframe and development of a policy to address the transfer of medications when residents permanently leave the home. Residents are less likely to receive expired or unused medications and those who leave the AFH will receive support to ensure they take their medications with them.

Citation of rules affected by this order:

New: none
Repealed: none
Amended: WAC 388-76-10490
Suspended: none

Statutory authority for adoption: RCW 70.128.007, RCW 70.128.040

Other authority: none

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 24-24-020 on 11/22/24 (date).

Describe any changes other than editing from proposed to adopted version: A minor change was made to require that AFHs include in their medication disposal policy the disposal of "refused" medications.

The changes were made because:

The department received internal feedback regarding medications that residents refuse. In the proposed rule the term "unused" was replaced with "discontinued". Removing "unused" from the current rule without addressing "refused" medications would leave a gap in the new rule. This gap would remove the requirement to dispose of medications residents refuse, which would negate the purpose of this rulemaking.

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	_____	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	<u>1</u>	Repealed	_____
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The number of sections adopted using:

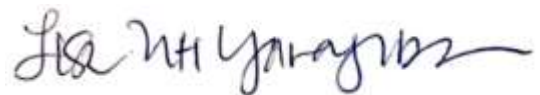
Negotiated rule making:	New	_____	Amended	<u>1</u>	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	_____	Repealed	_____

Date Adopted: February 7, 2025

Name: Lisa Yanagida

Title: DSHS Chief of Staff

Signature:



WAC 388-76-10490 Medication disposal—Written policy—Required.

(1) For the purposes of this section, "discontinued" means medication that is no longer prescribed or being used to treat a condition, as directed by the resident's physician or health care professional with prescriptive authority.

(2) The adult family home must ~~((have))~~ develop and implement a written policy addressing the safe disposal of ~~((unused or expired))~~ resident medications that have been discontinued, have expired, or were refused by the resident. The policy must: ~~((Unused and expired medication must be disposed of in a safe manner for:~~

~~(1) Current residents living in the adult family home; and~~

~~(2) Residents who have left the home.))~~

(a) Comply with all federal and state laws and regulations regarding medication disposal;

(b) Address the safe disposal of medications for current residents, deceased residents, and residents who have discharged from the facility; and

(i) For current residents the facility must safely dispose of discontinued medications, expired medications, and refused medications within 30 calendar days of discontinuation, expiration, or resident refusal;

(ii) For deceased residents the facility must safely dispose of all medications within 30 calendar days of the resident's death; and

(iii) For discharged residents the facility must:

(A) Assist with the transfer of the resident's medications to the resident's new setting, when needed;

(B) End fulfillment, delivery, and receipt of prescription medications within 10 calendar days; and

(C) Safely dispose of any medications left at the adult family home after 90 calendar days.

(c) Require that the safe disposal of the medication is recorded in a document that includes:

(i) Name of resident;

(ii) Name of medication;

(iii) Amount of medication;

(iv) Date of disposal or transfer; and

(v) Name of individual completing the task.