



EXPEDITED RULE MAKING

CR-105 (December 2017) (Implements RCW 34.05.353)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: September 08, 2023

TIME: 2:05 PM

WSR 23-19-016

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

Title of rule and other identifying information: (describe subject) The department is seeking to repeal WAC 388-76-10060, Application—Department orientation class—Required.

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The department is seeking to repeal this rule because the training course no longer meets the intended purpose. The subject matter of this training is covered in Adult Family Home Administrator training, which is required for adult family home (AFH) license applicants who have not already completed it.

Currently, AFH license applicants must provide evidence of the Orientation course with their license application. Timely registration and completion of the course has been a barrier to prospective AFH applicants, who must take the course at a local community college. Repealing this rule will enable applicants to submit their AFH license application sooner. This will decrease the amount of time it takes from the initiation of an application to submission. It will also reduce duplication of training content.

Reasons supporting proposal: Consistent with RCW 34.05.353(2)(c), the rule is no longer needed because of changed circumstances. When the rule was developed, the training was needed to educate AFH applicants about basic regulatory requirements. It is no longer needed because the content of the training is taught in AFH Administrator training, which is a required course that has been expanded over the years.

Statutory authority for adoption: RCW 70.128.040

Statute being implemented: RCW 70.128.040

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:

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:	Colleen Jensen	4500 10 th Ave SE Lacey, WA 98504	564-999-3182
Implementation:	n/a		
Enforcement:	n/a		

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

Expedited Adoption - Which of the following criteria was used by the agency to file this notice:

- Relates only to internal governmental operations that are not subject to violation by a person;
- Adopts or incorporates by reference without material change federal statutes or regulations, Washington state statutes, rules of other Washington state agencies, shoreline master programs other than those programs governing shorelines of statewide significance, or, as referenced by Washington state law, national consensus codes that generally establish industry standards, if the material adopted or incorporated regulates the same subject matter and conduct as the adopting or incorporating rule;
- Corrects typographical errors, make address or name changes, or clarify language of a rule without changing its effect;
- Content is explicitly and specifically dictated by statute;
- Have been the subject of negotiated rule making, pilot rule making, or some other process that involved substantial participation by interested parties before the development of the proposed rule; or
- Is being amended after a review under RCW 34.05.328.

Expedited Repeal - Which of the following criteria was used by the agency to file notice:

- The statute on which the rule is based has been repealed and has not been replaced by another statute providing statutory authority for the rule;
- The statute on which the rule is based has been declared unconstitutional by a court with jurisdiction, there is a final judgment, and no statute has been enacted to replace the unconstitutional statute;
- The rule is no longer necessary because of changed circumstances; or
- Other rules of the agency or of another agency govern the same activity as the rule, making the rule redundant.

Explanation of the reason the agency believes the expedited rule-making process is appropriate pursuant to RCW 34.05.353(4): The course is no longer needed, and stakeholders have requested the department consider repealing this requirement. The subject matter of this training is covered in Adult Family Home Administrator training, which is required for adult family home (AFH) license applicants who have not already completed it.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO

Name: DSHS Rules Coordinator

Agency: Department of Social and Health Services

Address: PO Box 45850, Olympia, WA 98504

Phone: 360-664-6097

Fax: 360-664-6185

Email: DSHSRPAURulesCoordinator@dshs.wa.gov

Other:

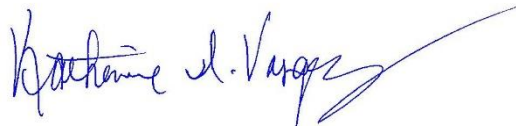
AND RECEIVED BY (date) November 21, 2023

Date: September 8, 2023

Name: Katherine I. Vasquez

Title: DSHS Rules Coordinator

Signature:



REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-76-10060 Application—Department orientation
class—Required.